~~Scrutiny~~

Scrutiny of the Revised Sarinjam and pension Lists

1855

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SCRUTINY OF THE REVISED SURINJAM AND PENSION LISTS.

No. 1108 of 1855.

POLITICAL DEPARTMENT.

From Captain T. A. COWPER,
Inam Commissioner Northern Division,

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

Dated Poona, 29th October 1855.

SIR,—I have the honour to submit for the consideration of Government the result of the Scrutiny, in so far as it has as yet proceeded, of the Revised Surinjam and Pension Lists.

2. In his letter No. 174, dated the 13th of January 1852, the Inam Commissioner, Mr. Hart, clearly showed three villages, described in the Revised Lists as the hereditary Surinjam of the Kuddum Banday family, to have been most improperly entered as such; and, in concluding this report, Mr. Hart stated,—

"I am informed that there are some cases connected with the revised Surinjam lists in which errors and oversights have occurred of even a graver nature than those noticed in the case of the Kuddum Banday family."

3. Government, on receiving this information, issued the following instructions*:—

"I am at the same time desired to request that you will report in detail, in separate letters, at your convenience, upon each of the cases in

* Paragraph 4 of Chief Secretary's letter No. 4175, dated the 24th September 1852.

the revised Surinjam lists with reference to which you state in your last paragraph that you have been informed errors and oversights of even a graver nature than the one now brought to notice exist."

4. On the 1st of the following month Government desired the Inam Commissioner also to test the accuracy of the Revised Lists of Pensions supplemental to the Surinjam Lists above referred to. The Government order is below transcribed* :—

* Paragraphs 1 & 2 of Chief Secretary's letter No. 4219, of the 1st October 1852.

"As you have in your letter No. 952, dated the 21st August last, given Government reason to believe that the revised Surinjam lists submitted to Government by Mr. Brown, late Agent for Sirdars in the Deccan, under date the 26th October 1847, contain many grave errors affecting the interests of Government, the Right Honorable the Governor in Council considers it possible that similar errors may have been committed in the lists subsequently prepared by that gentleman (supplemental to the above) of pensions granted by the British Government in commutation of Surinjams held previous and subsequent to the year 1751.

"2. I am, therefore, desired to transmit to you in original the whole of the proceedings connected with these supplemental lists, and to request that you will be good enough, at your early convenience, to test their accuracy and report the result to Government."

5. I will now proceed to describe each of the entries in the Revised Surinjam Lists which have been found to be materially erroneous, lettering each case in the margin of this report, and affording in an Appendix a list of the correspondence regarding it which is on the records of Government.

6. To render intelligible the abstract I am about to give of each case, I must explain the principles according to which the Honorable Court of Directors decided that the continuance of Deccan Surinjams should be regulated, and in conformity to which the Revised Lists were professedly framed. Those principles were,—

1*st.*—That all Surinjams granted prior to A. D. 1751, or held in commutation for anything so granted, should be considered hereditary.

2*nd.*—That all Surinjams granted between A. D. 1751 and 1796 should be continued to the holder at the introduction of British rule, and for one generation further, with a pension of half the net proceeds of the Surinjam to the third generation.

3*rd.*—That all Surinjams granted after A. D. 1796,—that is to say all Surinjams granted by the last Peshwa, Bajee Rao,—should be continued to the holder at the introduction of British rule, after his death a pension of half the net proceeds being granted to the next generation.

7. The first case requiring notice is that of the Kuddum Banday family,* to which allusion has already been made.† Here three villages, of the estimated value of upwards of Rs. 3,300, were found entered in the Surinjam lists as grants made before A. D. 1751, held at the breaking out of the war with the Peshwa, and, therefore, continuable hereditarily; whereas these villages had been resumed by the Peshwa long before the breaking out of the war; had remained so resumed up to the close of the Peshwa's rule; and had at the introduction of the British Government been restored, as an act of grace, for the lifetime only of the then incumbents; added to which, the tenure on which they had been held was not Surinjam, and, moreover, not one of them had

* Appendix **A.**

† Paragraph 2 of this letter.

been granted on any tenure at all until after A. D. 1751.

8. One extraordinary feature in this case was that the Agent for Sirdars, Mr. Warden, had, *after* erroneously entering them in his Surinjam Lists of 1844, correctly and clearly described their condition, and every circumstance connected with them, in a report submitted to Government on the 26th of July of the following year; and yet, with this last letter on record, the villages were again entered in the Revised Lists, and entered under circumstances of greatly aggravated error.

9. Even with the Inam Commissioner's clear report before him, the Agent, Mr. Brown, attempted to uphold the double mistake which had been committed. The real state of the case was, however, fully exposed by the Inam Commissioner, whose last report on the subject led to the expunction of the villages from the Surinjam Lists, under the orders of Government, approved of by the Honorable Court of Directors in the following terms:—

> "From a comparison of Mr. Hart's reports on this subject with those of Mr. Brown, it would seem that although the four villages claimed by the Kuddum Banday family were known not to have been in their possession previous to 1751, three of these villages were, nevertheless, by some construction which we cannot understand, considered to have formed an integral 'part' of a large Surinjam held prior to that date, and were, therefore, inserted in Class I. of the revised lists as hereditary. Since, however, the large Surinjam in question consisted solely of a portion of the Mokassa Umuls of the Purgunas of Nundoorbar and Sooltanpoor, it could not possibly include any villages. The villages in question were not

part of this Surinjam, but were granted one in 1752, the two others in 1762, and then not in commutation of any previous Surinjam. The four villages, moreover, had been confiscated by the Peshwa on the ground of rebellion before the breaking out of the war. The family had, therefore, no claim to be again put in possession of them after the conquest. In consideration, however, of their former rank and importance, and their distressed circumstances, the villages were restored to them on life-tenure; but the insertion in Class I. was altogether erroneous, and reflects discredit on the manner in which the lists were prepared; nor can we exempt Mr. Brown's most unsatisfactory letter of explanation, dated 11th October 1851, from similar censure."

10. The next case is that of Moreshwur Dixit Munohur,* whose Surinjam, valued at about Rs. 830 per annum, was declared hereditary by the Honorable Court on grounds described to them as special, but which in reality had never existed. The error which was committed is clearly pointed out in the Honorable Court's order (below transcribed), directing the expunction of the holding from the list of hereditary Surinjams:—

* Appendix B.

"We consented to recognise the Surinjam of Moreshwur Dixit as hereditary (although of later date than 1751) on the distinct statement by Mr. Warden and by Mr. Brown that the Sunud contained words of inheritance. From Captain Cowper's letter dated 21st September 1852, and Mr. Warden's letter of explanation dated 9th December 1852, it appears there were no express words of inheritance, and that the view which Mr. Warden took of the case depended on a disputable and disputed interpretation of the word 'Néhemee,' stated by Mr. Warden himself to be literally

equivalent to 'constantly' or 'regularly.' Considering this circumstance, and also that the Surinjam is a mere Palkee allowance, we are quite satisfied that it ought not to be hereditary."

11. The Surinjam of Trimbukjee Rajay Bhosley,* of the estimated annual value of Rs. 1,497, was described in the Revised Lists as a grant made before A. D. 1751, and as one proved by the Peshwa's records to have existed in the time of the Sattara Rajas; the fact being that it was neither granted nor held before A. D. 1751, nor for twenty-six years afterwards; and all this being correctly recorded in Mr. Elphinstone's Lists of 1819, and in those subsequently prepared by the Agent for Sirdars in 1834.

* Appendix **C.**

12. Government, on being made acquainted with the foregoing facts, pointed out to the Inam Commissioner that the last holder of the Surinjam having died without male issue, orders for its resumption had been issued on the 9th March 1852. Government, however, deemed it advisable to forward to the Agent for Sirdars a copy of the Inam Commissioner's communication, in order that there should be a record in his (the Agent's) office of the erroneous nature of the information continued in the Revised Surinjam Lists of 1844 and 1847 relative to this grant.

13. The Surinjam of Chimnajee Vitul Poorundhuree,† entered in the Revised Lists as an hereditary holding, consisted of two portions, situated, one in the Deccan, and the other in Nimar: the erroneous nature of the entry regarding the Nimar portion, of the estimated value of Rs. 3,000, was reported to Government in the following terms:—

† Appendix **D.**

"The Honorable Court seem to have passed this decision on the erroneous information afforded to them in the revised lists, that 'by

an oversight, this portion of the Surinjam was retained by Government when the remainder was restored to the present Surinjamdar in A. D. 1840,—Sunuds and Chor Chittees are in the possession of this person'; whereas, so far from the above portion of the Surinjam having been retained by Government through any oversight, its restoration had been fully discussed *on the Agent's representation in* 1841, and had been decisively negatived by the Government of India, which decision had been communicated to the Agent for Sirdars on the 7th October 1841, in the Political Secretary's letter No. 2775."

14. The entry regarding the Deccan portion of this Surinjam turned out, on inquiry, to be even more erroneous than the one described in the preceding paragraph, and it became apparent that the most barefaced fraud must have been committed in the Agent's Office, resulting in the entry of a portion of the Deccan Surinjam, of the annual value of nearly Rs. 1,400, as a grant made before 1751, when, in reality, it was not granted until after that period.

15. No orders* have as yet been received from Government in regard to either the Nimar or the Deccan portion of this Surinjam.

16. The Surinjam of Bujeajee bin Hunmunt Rao Bhandwulkur,† of the annual value of Rs. 480, was entered in the Revised Lists as a grant made before A. D. 1751, and without any further remark whatever. It was left to be inferred that the Surinjam had been held from the date of grant up to the breaking out of the war with the Peshwa.

17. Such, however, was very far from being the case, as will be seen from the following extract‡ from a report submitted to Government on the subject:—

* Government have, under date the 9th May 1856, resolved that the Nimar Surinjam should be finally disposed of under the orders of the Honorable Court of Directors, and that the portion of the Deccan Surinjam granted after A. D. 1751, which ought never to have been entered as hereditary, should now be transferred to the Class to which it belongs, and treated accordingly.

† Appendix F.

‡ Paragraphs 12 and 13 of the Assistant Inam Commissioner Captain Cowper's Report, No. 500, of the 27th of October 1853.

"12. The Surinjam was, on account of the treason of the then incumbent, resumed in A. D. 1773-74; it was restored in A. D. 1778-79, but again resumed in the same year; from which time it remained in the hands of the Government until nineteen years afterwards, when it was (in A. D. 1797-98) restored to his son by a Sunud registered in the State records.

"13. Thus, for the long period of a quarter of a century was this Surinjam not held at all, and at the introduction of the British Government it had only been held uninterruptedly for a period of twenty years."

18. This case has been referred by Government for the orders of the Honorable the Court of Directors, which have not yet been received.*

19. The Surinjam of the Wamoreekur family,† of the annual value of Rs. 14,089, had been correctly described in Mr. Elphinstone's Lists; in the lists afterwards framed in A. D. 1834; and also in those drawn out in A. D. 1838, as a grant made long after A. D. 1751. It was, however, shown in Mr. Warden's list of 1844 as a grant made prior to A. D. 1751. The explanation afforded was, that in the original lists of 1834 the Arabic year of grant had been incorrectly rendered. On referring to these original lists, however, nothing of the kind was to be found: the Arabic year therein entered corresponded with A. D. 1771, and it became evident that a gross fraud must have been practised on the Agent by the person who rendered to him the substance of the Murathee original.

20. In the Revised Lists framed by the Agent, Mr. Brown, the error described in the last paragraph remained uncorrected and unnoticed, although a remark was added, which, incorrect in itself, was calculated still further to mislead.

* Since received in paragraphs 11 & 12 (below transcribed) of their political despatch No. 27, dated the 12th December 1855:—

"11. The question which has arisen respecting this Surinjam, and which you have referred to us for our general instructions, is the following,—whether the title of a family we found in possession, and who were in possession in or previous to 1751, is to be affected by intermediate resumptions by the Peshwa. You are of opinion that it should not, provided that there has been a considerable length of possession between the two periods. You must, however, be aware that the course which you thus recommended is at variance with that which we have ordinarily pursued, and that as we do not restore (unless on very special grounds) possessions of which families had been deprived previously to our rule, so, also, when such possession, after being taken away, had been restored previously to our rule, we have hitherto regarded them as estates acquired at the date of restoration. We admit that some resumptions may have been so clearly temporary that it would be harsh to consider them as breaking the chain of prescription; but we do not think that such an observation can apply to a case like the present, in which the estate was twice resumed, the last time for nineteen years, and had only been held uninterruptedly for twenty years between 1751 and the introduction of the British Government.

"12. We are willing, however, to allow to the

† Appendix G.

21. Government have not yet passed any decision* in this case.

22. The Surinjam of Krishn Rao Neelkunt Moozumdar,† of the annual value of Rs. 11,504, was entered in the Revised Lists as granted before A. D. 1751, and, therefore, entitled to hereditary continuance. The scrutiny of the Inam Commissioner, however, brought to light that not more than *an eighteenth* portion of this Surinjam was granted at that early period, the whole of the remainder having been granted long afterwards, and being, consequently, continuable only for two generations.

23. How the error described in the last paragraph found its way into Mr. Brown's Revised Lists of 1847 is unaccountable, bearing in mind that Mr. Warden had in the first instance inserted the whole of the Surinjam in the lists of 1844 as an hereditary one, on the recorded grounds of a portion of it having been held prior to A. D. 1751. Government, however, when returning Mr. Warden's lists for revision to his successor, Mr. Brown, particularly pointed out this case as one requiring correction, unless the whole Surinjam could be shown to have been granted at so early a date; yet, with these clear instructions before him, not only were they disregarded, but the remarks which, in Mr. Warden's lists, had explained how the case really stood, were expunged, and in their place the following most erroneous remark was substituted :—

> "There exists a record in the Poona Duftur which speaks of the grant of this Surinjam in the year Echeday Khumsain (A. D. 1750)."

24. No orders‡ have as yet been received from Government regarding this case.

25. The Surinjam of Kundeh Rao Bullal Poorundhuree,§ of the annual value of Rs. 886, was erroneously entered in the Revised Lists as

considerations urged by you sufficient weight to save any Surinjam which has been actually declared by your Government, or by us to be hereditary, from being deprived of that character on account of subsequent discovery of an intermediate interruption of possession; provided that no fraud is discovered or suspected. We, therefore, shall not direct the Surinjam of the Bhandwulkur, or any other similarly situated, to be removed from Class I."

* Government have, under date the 17th November 1855, resolved that this Surinjam having been erroneously entered in the First, should now be transferred to the Second Class.

† Appendix II.

‡ Since received, under date the 9th May 1856. Government have declared the discussion of this case to have disclosed "perhaps the most daring of the many frauds which have been brought to light by the Inam Commissioner"; have pronounced it "difficult to state which was the more conspicuous, the credulity of Mr. Brown, or the audacity of his subordinates"; and have recommended to the Court of Directors that the Surinjam should be regarded as belonging to Class II., and treated accordingly.

§ Appendix I.

a grant made before A. D. 1751. The error committed was described to Government in the following terms* :—

"18. But it remains to be stated that Mr. Brown had been particularly warned against assigning to even a *single component* portion of a Surinjam any other date than that on which it was actually granted; and yet, with these distinct instructions on record, he assigned to this Surinjam, composed of *merely* the village of Bamboordee Goomut, not the date of grant of that village,—not even the date of grant of anything held by the Surinjamdar,—but the date on which the family had originally received a village which they had ceased to hold *twenty years* before the close of the Peshwa's reign. On what grounds this was done I cannot understand."

26. Government, on receiving the Inam Commissioner's report, directed the expunction of this Surinjam from the class of hereditary holdings, and its entry as one continuable for two generations only.

27. The Surinjam of Darkojee Powar,† of the annual value of Rs. 2,560, entered in the Revised Lists as continuable on hereditary tenure, was discovered to have been always a military and not a personal holding, and, therefore, not continuable at all under the Honorable Court's orders, which were not applicable to military Surinjams. Besides this, it was discovered that the whole of the Surinjam held under the Peshwa had been erroneously continued by the Collector of Ahmednuggur, in contravention of the orders of Mr. Elphinstone's Government, which sanctioned the continuance of one-half of it only.

28. Government have not as yet issued any orders‡ in this case.

29. The Surinjam of Gungadhur Gunesh

* Paragraph 18 of the Assistant Inam Commissioner Captain Cowper's letter No. 499, of the 26th October 1853.

† Appendix J.

‡ Government have since, under date the 20th May 1856, intimated their intention of referring this case for the orders of the Honorable the Court of Directors.

Somun,* of the annual value of Rs. 502, was entered in the Revised Lists as a grant of A. D. 1763, continuable for two generations, whereas it was in reality a grant of A. D. 1801, and, as such, continuable for one generation only.

* Appendix K.

30. Government, on being made acquainted with the error committed, directed the transfer of this Surinjam to its proper place in the lists, as a grant of A. D. 1801.

31. The erroneous nature of the entry in the Revised Lists of the Surinjam of Neelo Baboorao,† of the annual value of Rs. 960, and the further errors contained in a subsequent explanatory letter from the Agent, Mr. Brown, were described to Government in the following terms‡ :—

† Appendix L.

"60. The revised Surinjam lists, and Mr. Brown's explanatory letter No. 432, of the 15th December 1851, seem to be faulty as regards this holding in the following instances :—

‡ Paragraph 60 of the Assistant Inam Commissioner Captain Cowper's letter No. 177, of the 1st April 1851.

"1*st.*—The 3rd paragraph of Mr. Brown's letter states,—'The Umuls, designated Surdeshmookee and Surpatelkee, are not entered in the Surinjam lists'; but they ought, apparently, to have been so entered, as whatever the Moozumdar's family hold or claim, must be that, and that only which was included in Mr. Elphinstone's order continuing the Surinjam; on no other tenure, or by no other order was anything continued to them by the Commissioner in the Deccan.

"2*nd.*—The Peshwa's records, moreover, afford proof that the *three* Umuls were held by the Moozumdar in Surinjam, although the one was often confounded with the other, especially in the accounts of management,—an occurrence which these State records show to have been a common one in regard to alienations generally. In the present case, in a Sunud issued by the Peshwa, and shown by

the Ghurnee ledger to have been registered in the State diary of the 27th December 1761, (30th Jummad-ool-Awul, Esunay Seetain Mya wu Ulluf,) the *three* Umuls of Wurgaum Ghenud are distinctly specified as having been previously held by, and as being then (A. D. 1761) restored to Trimbuk Baboorao Moozumdar.

"3*rd*.—The Surdeshmookee has been erroneously supposed to be *necessarily* the Wutun of a Surdeshmook, whereas it is an Umul or a portion of the revenue originally obtained, *with the Chouth*, by the Sattara Raja from the Emperor of Delhi, but *latterly* corresponding in everything save amount with the Mokassa or any other Umul, and shown by the State diaries and accounts of management of the late Government to have been granted and held in Surinjam throughout the Peshwa's dominions just as other Umuls were so granted and held; and it will be seen from the first document quoted in the 48th paragraph of this letter, that all *three* Umuls (Mokassa, Surdeshmookee, and Surpatelkee) were actually granted in Surinjam in A. D. 1751 to Narayen Rao Venkutesh.

"4*th*.—In explaining the difference between the value assigned in the Commissioner's order of release and that assigned in the revised lists, to the Mokassa of Wurgaum Ghenud, it is stated in paragraph 4 of the Agent's letter, 'that the amount stated in the revised Surinjam lists is net revenue, while that stated in the Chor Chittee is the Kumal or gross amount.' But the value assigned in the revised lists is *not* the net, but the Kumal or nominal value assigned in the Chor Chittee, and entered, probably from the Chor Chittee itself, in the statement furnished by the Collector. The net value of

the *three* Umuls of Wurgaum Ghenud I have ascertained from the accounts of the village to be barely one-half of the amount which the revised lists show as the net value of one Umul only.

"*5th.*—In the 5th paragraph of the Agent's letter it is stated, with reference to two documents, translations of which accompanied it,—'These documents distinctly state the tenure of the grant to be Surinjam.' But the translation of a portion of the first of these documents, rendered as 'these Mokassa villages,' is incorrect, as there is nothing of the kind in the original, which is now before me, and which refers only to the Mokassa Umuls, or Babs, of these villages { Mokass babé ché Déhé / मोकास बाबे चे देहे } ; the tenure is not specified.

"*6th.*—With reference to the same translations, it is stated in the same (the 5th) paragraph of the Agent's letter, that they 'allude to the year 1767, which, in the absence of any further proof,* has been held as the date of the grant.' In the first of these documents the year 1767 is certainly mentioned, but only in terms which prove that the Surinjam *must* have been previously held, and that 1767 *could* not have been the date of original grant of that which was then, in A. D. 1767 (it is recorded in the document quoted by the Agent) ordered to be released from an attachment placed upon it three years previously.

"*7th.*—I have been unable to ascertain the grounds upon which the Agent in the 7th paragraph of his letter informed Government,—'Baboorao's ancestors were Karkoons of Dabharee, and, therefore, the grant to them was necessarily of a Surinjam character.' But I am not aware of any necessary connection

* "The Agent has in the preceding paragraph (the 4th) of the *same* letter alluded to the further proof afforded by the Peshwa's records that the Surinjam was enjoyed as for back *as* 1763."

between the two facts, or that one must have affected the other.

"*8th.*—In the 8th paragraph of the Agent's letter it is stated:—'The third is an order of the Peshwa dated 1757, but it is not registered in the Peshwa's Duftur.' But the document *is* registered, and the registry is shown by the Ghurnee ledger to have been made in the State diary of the 21st January 1758, (10th Jumnad-ool-Awul, Suman Khumsain Mya wu Ulluf,) although the Superintendent of the Poona Duftur was not aware of the fact, and the Agent could, of course, only report the result of the Superintendent's inquiry. The registry now discovered may have been overlooked by the Superintendent's establishment, but it is, I think, most probable that the document containing it was not then forthcoming for use, being one of those subsequently extracted and arranged, as explained in the 96th paragraph of my report No. 163, of the 2nd May last.

"*9th.*—In the 9th paragraph of the Agent's letter it is stated,—'Baboorao Trimbuk did not present himself at the time when the Surinjam lists were under preparation, and, therefore, the date of grant given in the list is that which was found in the extant records of the Peshwa.' But it does not seem that Baboorao Trimbuk was ever desired to present himself, and I have already explained the date of grant assigned in the lists not to be borne out by the Peshwa's records of *any* period.

"*10th.*—The revised lists and explanatory letter both show 'Baboorao Trimbuk' to have been the first British grantee, at whose death the Surinjam, as one continuable for two generations from the conquest, would be enjoyed by his son Neelkunt Baboorao; but this was not the case, as Baboorao Trimbuk's *eldest* son,

Nursing, had died previously, leaving a son, named Rumakant. The second generation had, therefore, passed away,* and the Surinjam had lapsed, a pension equal to half its net proceeds being payable to Rumakant.

"11*th*.—The revised lists, however, were prepared before the receipt of the Honorable Court's orders, under which the deceased Nursing was to be considered as the second generation; but they are nevertheless erroneous, inasmuch as *Nursing's* son, Rumakant, was the person whose name ought to have been inserted in column 12 of the lists, instead of that of Neelkunt.

"12*th*.—The statement (Jharee Putru) of the Collector of Khandeish, referred to in the 5th paragraph of Mr. Brown's explanatory letter and in the 16th column of the revised lists, distinctly pointed out that Baboorao Trimbuk had had *two* sons, one of whom had died leaving male issue, but no inquiry whatever seems to have been made. *With* such positive information on record, I cannot suppose that the Agent would have inserted Neelkunt's name in the lists, had he (Mr. Brown) been aware of the contents of the Khandeish Collector's statement, which must, therefore, I conclude, have been withheld from him.

"13*th*.—In the 5th paragraph of the Agent's explanatory letter it is stated,—'The Collectors of Khandeish and Poona have both, in their Jharee Putrus drawn out† on the 15th September 1843 (extracts of which are annexed), recognised and stated the Mokassa of these two villages as Surinjams, and the year they were granted is specified as A. D. 1767.' But a reference to the Khandeish Collector's statement, translation of which accompanied Mr. Brown's explanation, will show that the Collector of

* "Orders of the Honorable Court, communicated to the Agent in the Chief Secretary's letter No. 208, of the 12th January 1850."

† "The translation accompanying the Agent's letter shows the Khandeish Collector's Jharee Putru to be dated *the 22nd April* 1811."

Khandeish assigned as the 'date of the Sunud, as ascertained from records,' not 1767, but 'the 1*st February* 1820.'

"14*th*.—The age of Neelkunt Baboorao, which was, according to the Poona Collector's statement, thirty-one years in 1843, and, according to the Khandeish Collector's statement, thirty-six years in 1844, is entered in the revised lists of 1847, purporting to be framed from these statements, *as twenty years*.

"15*th*.—In the 6th paragraph of his explanatory letter, dated the 15th December 1851, the Agent, Mr. Brown, stated:—'Baboorao Trimbuk was the first British grantee, and the Surinjam held by him should, according to the rule of succession to Surinjams, descend to his son Neelo Baboorao.' This statement was made *after* the receipt of the Honorable Court's orders on the subject of succession to Surinjams, which were communicated to the Agent in the Chief Secretary's letter No. 208, of the 12th January 1850; but not only were the Honorable Court's orders on record, but the Agent had received from Neelo Baboorao himself a Murathee letter dated *the* 11*th October* 1850, referring to Rumakant Nursing as one of the persons in whose names the Collector of Poona had entered the holding, and the Collector, to whom Neelo Baboorao's letter was forwarded by the Agent, distinctly stated in his Murathee reply, No. 6519, of *the* 11*th October* 1850, that Rumakant Nursing belonged to the *eldest* branch of the family. How, *after this, and without inquiry*,* the Agent, on the 15th December 1851, informed Government that Baboorao Trimbuk's Surinjam 'should, according to the rule of succession to Surinjams, descend to his son, Neelo Baboorao,' I am unable to understand."

* "The Agent appears to have made a similar erroneous statement in his report No. 110, of the 5th March 1851, quoted in the 29th paragraph of this letter; and yet, in the 2nd paragraph of the same report, to have recorded the existence, though not the *whole* of the contents of the very communication from the Collector of Poona (No. 6519, of the 11th October 1850) which distinctly pointed out the existence of Rumakant, and the fact of his belonging to the *eldest* branch of the family."

32. This case has been submitted by Government for the consideration of the Honorable the Court of Directors.*

33. The Surinjam of Madhow Rao Neelkunt Poorundhureе† was erroneously entered in the Revised Lists under circumstances described to Government in the following terms‡ :—

"8. Such are the recorded circumstances under which this Surinjam was originally granted and is still held, and from which it appears,—

"1*st.*—That the adoptive father of the present incumbent held from the British Government a large Surinjam, which had been continued by Mr. Elphinstone.

"2*nd.*—That at the adoptive father's death this Surinjam was resumed, pensions to the annual amount of Rs. 9,692 being granted to the widows, mother, and principal dependents of the deceased.

"3*rd.*—That no allowance was at that time made to the adopted son, Madhow Rao, on the grounds of his adoption not having been sanctioned by the Government.

"4*th.*—That subsequently, on the 5th October 1834, the Honorable Court of Directors sanctioned the grant of a provision to Madhow Rao to the extent of Rs. 25,000 per annum.

"5*th.*—That this provision was accordingly made and enjoyed for some time by Madhow Rao in the form of a pecuniary stipend or pension.

"6*th.*—That on Madhow Rao's solicitation that the pecuniary stipend might be commuted into a grant of land, villages of the annual value of Rs. 25,000 were made over to him, in lieu of the pension, and *as a life-grant.*

"7*th.*—That the fact of the tenure being only for life was specially pointed out to the Agent

* Who have since issued the following orders in paragraph [illegible] of their political despatch No. 27, dated the 12th December 1855 :—

"The very full and clear report of Captain Cowper on this estate has in our opinion, as in yours, shown that there is, though not perfect proof, very strong presumptive evidence that the Umuls were in possession of the family before 1751, and we therefore, in accordance with your recommendation, authorise you to declare them hereditary. The rightful heir is Rumakant, whose claim, in consequence of his youth and absence, his uncle Neelkunt, and his more distant relative Bapoojee Kassinath, were able successfully to keep back."

† Appendix M.

‡ Paragraph 8 of the Assistant Inam Commissioner Captain Cowper's letter No. 207, dated the 13th of April 1854.

for Sirdars, who was desired fully to explain this to Madhow Rao and to frame the deed of grant accordingly.

"*8th.*—That the grant *for life* of these villages was sanctioned by the Honorable Court on the 27th August 1841.

"*9th.*—That in the lists of 1844 this life-grant was by mistake entered as an hereditary Surinjam.

"*10th.*—That this mistake was pointed out to the Agent, Mr. Brown, when the lists of 1844 were returned to him for revision.

"*11th.*—That in the revised lists this life-grant was again recommended for hereditary continuance, on the alleged grounds of its antiquity.

"*12th.*—That the Government then again pointed out to Mr. Brown that the grant was one made for life, and granted originally by the British, and not by the Peshwa's Government.

"*13th.*—That in spite of these reiterated orders, no alteration whatever was made in the revised lists: not only was the Surinjam not expunged as a British grant, to which the Honorable Court's order did not apply, but the original recommendation that it should be continued on hereditary tenure was preserved just as it stood before.

"*14th.*—That the Honorable Court accorded a general sanction to the class of Surinjams in which this one was inserted, on the recorded grounds of their being supposed to be grants originally made by the Peshwa's Government.

"*15th.*—That under the circumstances explained in the preceding fourteen clauses, this grant, which was made by the British Government, and which was specially declared to be a life-grant, stands in the revised lists as one

half of which is continuable to a second generation."

34. Government, in disposing of this case, declared the Surinjam resumable on the death of Madhow Rao without the grant of a pension of half the amount to the next generation. Government, however, in doing this, declared Mr. Brown's proceedings to have been "not so worthy of blame as Captain Cowper's report would suggest."

35. The Surinjam of Meera Gunnee Rissaldar,* of the estimated annual value of Rs. 1,568, was entered in the Revised Lists as having been under attachment by the Peshwa's Government, and restored by the British Government in 1820. It was, therefore, entered as continuable for one generation, with the grant of a pension of half the amount to the generation next succeeding. But it turned out to be a British grant, to which the Honorable Court had distinctly declared the Surinjam Rules laid down by them not to be applicable. The error committed in the Revised Lists was thus described to Government† :—

* Appendix N.

"14. The revised lists appear erroneously to describe this Surinjam in the following instances :—

"1*st.*—In the column of 'Remarks' it is stated,—'This Surinjam was under attachment by the Peshwa's Government, and was restored by the British Government on the 21st September 1820';—the fact being that it had never existed under the Peshwa, and could not, therefore, have been restored.

"2*nd.*—The date of grant is stated to be the 21st September 1820, but this is the date of the *second* Sunud, continuing the Surinjam to the *second* generation; the date of the Sunud making the *original* grant is the 6th January 1820.

† Paragraph 14 of the Inam Commissioner Captain Cowper's report, No. 460, of the 14th September 1851.

"3rd.—In the 4th column of the revised lists the present incumbent and the original grantee are shown as one and the same person, which was not the case, as the incumbent, when the revised lists were framed, was the *second* British grantee."

36. Government, on being made acquainted with the facts of this case, ordered the resumption of the Surinjam without the assignment of any pension to another generation, making, however, a charitable life provision for the widows of the last incumbent.

37. The Surinjam of Bhugwunt Rao Holkar,* of the annual value of nearly Rs. 3,000, was entered in the Revised Lists in the Third Class† of holdings continuable for one generation, but in the same lists it was described as a grant of A. D. 1793, and should, therefore, if entered at all, have been entered in the Second Class of holdings continuable for two generations. But it ought, apparently, never to have been included in the lists, being held under a Sunud expressly declaring it to be a grant from the British Government.

38. This case has been submitted by Government for the consideration and orders of the Honorable Court of Directors.‡

39. The Surinjam of Sukaram Gosavee,‖ of the annual value of Rs. 881, held by him on account of the office he filled in the household of the last Peshwa, was on his (Sukaram's) death continued in A. D. 1831, under the special orders of Government, to his son Bapoo, in virtue of his having been placed by the ex-Peshwa in the office of his late father. This Surinjam was improperly described in the Revised Lists as having been continued to the son, Bapoo, "by mistake," and upon this information the Honor-

* Appendix O.

† That is, of grants made between A. D. 1796 and 1817.

‡ Who have since issued the following instructions in paragraph 67 of their political despatch No. 27, dated the 12th December 1855:—

"It is clearly shown by Captain Cowper that this grant is one to which the Surinjam Rules are not applicable. It is one of the grants originally made by Holkar, and continued by our Government in 1820, under new Sunuds, for life only, the rule being laid down 'that all grants to be continued should be held exclusively of us, and in all respects on the same footing as other grants of the same description made by ourselves.' We cannot agree with Mr. Warden that under this rule the grantees should receive pensions 'on the same footing as other Surinjamdars'; for the Surinjamdars of the Peshwa have been placed on a much more advantageous footing than those whose grants were 'made' at a comparatively recent period by 'ourselves.' The entry in the Surinjam lists of the holding now under report, though made by mistake, may have occasioned hopes in the mind of the holder that a pension of half the value of his holding would be continued to his son. But, unless we are to be precluded from correcting the many errors which have been shown to exist in these lists, we see no reason for granting to this family what the terms of the Sunud must have shown them

‖ Appendix P.

able Court allowed Bapoo to hold it during his lifetime, as a special case.

40. This Surinjam having meanwhile lapsed, the rectification of the erroneous entry in the lists was all that could be suggested to Government, whose orders on the subject have not yet been received.*

41. The Surinjam of Krishn Rao Ram Poorundhuree,† of the annual value of Rs. 2,100, was entered in the Revised Lists as a grant made before A. D. 1751, and, therefore, hereditary; but five-sixths of the holding turned out to have been granted long after A. D. 1751, and to be continuable, consequently, for two generations only.

42. Government have ordered the rectification of this error.‡

43. A Surinjam, of the annual value of Rs. 637,|| which had been held by the Nuwab of Banday, was entered in the Revised Lists as having been under attachment since A. D. 1829, and was recommended for continuance to a collateral heir. This the Court of Directors declined to sanction, and the Surinjam was finally resumed; but it has since been discovered that the proceeds of the holding for twenty years during which it was under attachment were, instead of being paid into the Government treasury, made away with through what at present appears gross fraud on the part of some of the establishment of the Poona Adawlut.

44. No orders in this case have as yet been issued by Government.§

45. The Surinjams of Bhewra Baee and Buga Baee Holkar¶ were entered in the Revised Lists as a holding of the annual value of upwards of Rs. 1,300. The following extract from the report submitted to Government explains the erroneous nature of the foregoing entry.

¶ Appendix S.

that they were not entitled to. Before pensions can be granted to persons so situated, special grounds must be shown for such grant.

* Government have since notified (7th May 1856) that the Surinjam having been resumed in 1851, nothing further is called for, though the errors committed by the Agent for Sirdars were, Government have stated, brought to the notice of the Honorable the Court of Directors under date the 30th December 1851.

† Appendix Q.

‡ Regarding which the Honorable Court have since observed, in paragraph 4 (below transcribed) of their political despatch No. 19, dated the 19th March 1856:—

"The circumstances of this holding are very clearly set forth by Lieutenant C. J. Griffith, the Assistant Inam Commissioner. The statements relating to it in the revised lists are very inaccurate, a part of the holding being incorrectly described, and the date which correctly belonged only to the smaller part of it being assigned to the whole. This is the more remarkable, as Mr. Brown, in his reply to a call for explanation, stated the dates correctly, and the inconsistency between them and the conclusion drawn from them escaped the notice of your Government."

|| Appendix R.

§ Government have, under date the 20th March 1856, declared the statement regarding

this case, which on the Inam Commissioner's report they desired the Agent for Sirdars to submit, "to be most unsatisfactory,"—have expressed their decided opinion "that a robbery has been committed, and that to regard these proceedings as carelessness would be a misapplication of terms,"—and have called for specific information regarding the parties implicated.

* Paragraph 17 of the Inam Commissioner Captain Cowper's letter No. 501, dated the 27th of September 1851.

"17.* The revised lists seem to have been defective in the following instances:—

"1*st.*—These entries ought not to have been made at all, as there were not, and are not any such Surinjams in existence; the Surinjams were resumed many years previously, and that which the lists describe as two Surinjams consists, in reality, of four pensions granted on the lapse of the Surinjams.

"2*nd.*—In *each* case the holding is shown in the revised lists to consist of two villages, Yellee and Moongee; whereas in each case the value assigned ought to have been that of one-half of the Jagheer Umul only of the two villages.

"3*rd.*—In the column of 'Remarks' it is stated,—'By an order of Mr. Commissioner Chaplin dated 2nd February 1821, the Surinjam was sanctioned in the names of the two ladies'; whereas it has been shown that Mr. Chaplin's order continued the Jagheer Umul of *both* villages to *one* person, Bapoojee Holkar, and that the pensions granted to the two ladies in each case were not granted until after the resumption of the Jagheer Umul of the two villages, and were then granted, not by Mr. Chaplin's order of 1821, but by the orders of the Bombay Government of 1827 and 1833.

"4*th.*—In the same column it is stated,—'The date of original grant is taken from a Sunud in possession of this Surinjamdar, bearing date Suba Teesain, A. D. 1796, which confers this Surinjam.' But among the Murathee records received from the Agent there is not a single document to show that the statements of the persons who enjoy these pensions were ever called for and taken, and no trace of any Sunud, or copy of a Sunud can be anywhere discovered.

"*5th.*—The entry No. 25 in the revised lists describes Bunnajee Holkar as the original grantee and incumbent, at the introduction of the British Government, of the Surinjam; but no Surinjam whatever was continued to *Bunnajee* Holkar by Mr. Chaplin's order. Bapoojee Holkar was the person entered in Mr. Chaplin's statement as the original grantee of both the Jagheer Umuls, and as the person to whom, as the holder at the introduction of the British Government, both the Umuls were to be continued."

46. Government, on being made acquainted with the real facts of this case,* directed the expunction of the entry from the Revised Lists, allowing, however, the stipends to be continued during the lives of the then incumbents.

47. A Surinjam, of the annual value of Rupees 5,821, held by Saojee Rao Nimbalkur,† was entered in the Revised Lists as a grant made before A. D. 1751, and as continuable, therefore, on hereditary tenure. It turned out, however, always to have been a military, and never a personal Surinjam; and on this fact being clearly established by the Inam Commissioner, the following orders were issued by the Honorable Court of Directors‡:—

"30. The estate of Sherusnee (not an entire village, as we had been led to suppose, but certain Umuls only) was a military, and not a personal Surinjam; and the rule, continuing on hereditary tenure certain estates held prior to 1751, does not apply to military Surinjams.

"31. We are of opinion with Mr. LeGeyt, the Agent for Sirdars, that the Surinjam properly lapsed on the death of the grantee, Saojee Rao, but that a pension equal to half the net proceeds may be granted to Mankojee

* The Court of Directors have since, on being made acquainted with these facts, observed in paragraph 18 (below transcribed) of their political despatch No. 27, dated the 12th December 1855:—

"The statement in the revised lists respecting these holdings is shown to be flagrantly and carelessly incorrect, and proves with how little care and circumspection Messrs. Warden and Brown performed the important duty of preparing these lists. But the orders in the Revenue Department dated the 30th of October 1827, granting pensions to the widow and mother of Bunnajee Holkar, might have been more explicit. The words were,—'The Governor in Council is pleased to grant the value of one-fourth to the wife'; and the Collector of Ahmednuggur, who seems not to have understood that a money grant was intended, left the ladies in possession of the Umul itself (reduced, we hope, to one-half, as directed), which, in the case of one of the two villages, Moongee, they still possess. The other village, Yellee, having been resumed in 1836, a money equivalent is paid to the ladies for their share in its

† Appendix T.

‡ Paragraphs 30 and 31 of political despatch No. 23, dated the 16th August 1854.

(who was recognised as his adopted son by the Peshwa's Government) from the date of resumption."

48. Consequent on the foregoing instructions, orders had been issued for the payment of the pension which amounted to Rs. 794 per annum, and of arrears amounting to upwards of Rs. 7,000, when the Inam Commissioner fortunately discovered the whole story of the alleged adoption, said to have been sanctioned by the Peshwa, to be a fabrication supported by forgery, perjury, and fraud of the grossest description.

49. Government, on being made acquainted with these facts, issued the following orders* :—

"2. In reply, I am desired to observe that in the opinion of Government you have produced the most clear and convincing proofs that the adoption of Mankojee Rao by the late Saojee Rao Nimbalkur never received the sanction of the Peshwa, and that, therefore, he possesses no right to the pension which, under the supposition that his adoption had been formally recognised by that prince, has lately been granted to him by the Honorable the Court of Directors.

"3. The Right Honorable the Governor in Council has, accordingly, resolved that the payment of this pension, which was stopped under date the 7th May last, shall continue in abeyance, pending a reference to the Honorable the Court of Directors, to whom it will be suggested that, under the information now furnished by you, their orders for the grant of this stipend be recalled.

"4. A recommendation will at the same time be submitted to the Honorable Court† that the name of Mankojee Rao be expunged from the list of Sirdars, the gross fraud which he has practised upon Government in this case prov-

* Paragraphs 2 to 4 of Political Secretary's letter No. 2993, dated the 25th July 1855.

† Whose instructions have since been received in paragraphs 6 to 8 (below transcribed) of their political despatch No. 19, dated the 19th March 1856 :—

"A pension of Rs. 794 per annum, equivalent to half the net proceeds of the lapsed Surinjam of the late Saojee Rao Nimbalkur, had been granted to his nephew Mankojee, on the ground of his having been adopted by the deceased as his son, with the sanction of the Peshwa. It has now been clearly shown by Captain Cowper that the evidence by which the adoption, and the confirmation of it by the Peshwa, were supposed to have been established, was false and fraudulent. Of all the instances which have yet come before us of Mr. Brown's negligence and inaccuracy, his investigation of this case is the most discreditable. He is shown to have omitted to take evidence,—the most obvious and the most easily accessible,—to have in one instance kept back from Government a document which would have directed their attention to such evidence, and to have misstated the testimony of the witness whose statement was the only proof of the authenticity of the principal document in the case, representing him to have said that the termination of that document 'is, to the best of his belief, in the handwriting of Sudashew Mankeshwur, the Peshwa's Mi-

ing him to be utterly unworthy to be continued to be enrolled amongst the privileged persons of the Deccan and Southern Muratha Country."

50. At a later period, further and still more conclusive evidence in this case was obtained, proving the whole transaction to have been the result of deliberate and wholesale conspiracy, originating, apparently, with the Chief of Moodhole, in whose possession were discovered registries of letters to his Poona bankers, placing large sums of money at the disposal of the agents of the Nimbalkur family, for purposes of corruption.

51. Government, on receiving this further information, resolved under date the 15th of September 1855,—

"That Mankojee Rao Nimbalkur, by his disgraceful conduct on this occasion, has proved himself unworthy any longer to be retained amongst the privileged classes; and that, in anticipation of the Honorable the Court of Directors sanctioning the recommendation which, in conformity with the recent resolution of Government, is about to be made to that authority for the erasure of his name from the Sirdar lists, orders be at once issued for his being suspended from the privileged classes, pending the Court's instructions. By this means this unworthy individual will be deprived of the usual Dussera dress and other honours which otherwise he would, as a Sirdar, receive at the approaching Dussera festival on the 20th proximo.

"The late Chief of Moodhole, who appears to have been a principal in this attempted fraud, having intermediately died, it is unnecessary to take any notice of his misconduct."

52. The investigation which took place re-

nister'; when in the translation of his deposition, furnished by Mr. Brown himself, he is only made to say that the writing 'appears like Sudashew Mankeshwur's writing, but I cannot state to a certainty that it is his.' Captain Cowper has clearly proved that the document cannot have been written by Sudashew Mankeshwur or by his orders, and all the circumstances connected with the case show it to be a forgery. Nor was Mr. Warden's conduct much less careless; for in 1842 he represented that Saojee had no son, and in 1844 he entered Mankojee in the lists as Saojee's son.

"7. We authorise you, as you propose, to cancel the grant of the pension (of which, fortunately, no payments had been made), and to strike out the name of Mankojee from the list of the privileged Sirdars.

"8. Subsequent information, communicated to Captain Cowper by the Political Agent in the Southern Muratha Country from the Moodhole accounts, shows that the late Chief of Moodhole, who was of the Nimbalkur family, disbursed a sum of nearly Rs. 6,000 through a banker at Poona, to obtain the recognition of Mankojee as successor to Saojee Rao Nimbalkur. In what way this money was expended does not appear, but it is to be feared that a part of it reached some servant or servants of the British Government. We entirely concur in the commendation you have bestowed on Captain Cowper for

the ability and zeal with which he traced out the very intricate facts of this case, and exposed the gross and inexcusable oversights of Mr. Warden & Mr. Brown."

* Appendix U.

† This Surinjam has since been resumed, in consequence of Ramchunder Nimbalkur's having resorted to evasion and falsehood for the purpose of avoiding inquiry by the Inam Commission.

‡ Appendix V.

garding the Surinjam of Saojee Rao Nimbalkur* disclosed the fact of another fraud having, apparently, been perpetrated by another member of the same family, who obtained the continuance of a Surinjam of the annual value of Rs. 582, by falsely representing himself to be the son of the last incumbent, which he was not.

53. Government have ordered the attachment of this Surinjam† pending the Inam Commissioner's final report, which is under preparation.

54. Mahomed Abdool Kadur held a Surinjam, of the estimated annual value of upwards of Rs. 8,500,‡ which lapsed at his death ; a pension equal to half the net proceeds being continued to his sons, from whom, however, according to the Revised Lists, a sum of Rs. 5,806 was to be recovered on account of a village described as having been enjoyed by the father without any right, but which, on inquiry by the Inam Commissioner, turned out to have been granted by the Deccan Commissioner under written authority from the Governor, Mr. Elphinstone, and the Commissioner's order to the Collector of Ahmednuggur, directing the village to be made over to the grantee, was found duly recorded in the Ahmednuggur Collector's Office.

55. Government, on being made acquainted with the erroneous nature of the entry in the Revised Lists, at once directed the payment of the large sum withheld on account of the aforesaid village.

56. Balkrishn Gungadhur Kanuray held a Surinjam of the annual value of Rs. 867,‖ which, having been granted by the last Peshwa, Bajee Rao, lapsed at Balkrishn's death, his son, Narayen Rao, becoming entitled to a pension of half the net proceeds. In the Revised Lists, however, the son was shown as entitled to a pension of not merely the half of the lapsed Surinjam, but of

‖ Appendix W.

half, also, of the pension which had been enjoyed by his deceased father, and which ought never to have been entered in the Revised Lists at all.

57. The Inam Commissioner, in reporting this case to Government, submitted for their consideration certain facts connected with the non-payment of the sum justly due to the son, Narayen Rao, and, after his death, to his legal representative; such non-payment appearing to be closely connected with, if it did not originate in the failure, on the part of persons connected with the Agent's establishment, to extort a very large sum of money from the person to whom the pension had been granted by the Honorable Court of Directors.

58. Government, on receiving the Inam Commissioner's report, directed the arrears of the pension granted on the lapse of the Surinjam to be paid to the son Narayen Rao's legal representative, and ordered the Agent for Sirdars to inquire and report* fully on the subject of the apparent attempt at extortion.

* Since submitted, and pronounced by Government "not satisfactory."

59. The Nigray family held in Surinjam a village in the Ahmednuggur Collectorate, of the annual value of a little more than Rs. 1,000.† It had been granted long after A. D. 1751, but had, nevertheless, being recommended for hereditary continuance by the Agent for Sirdars, Mr. Warden, on the grounds of the peculiarity of the origin of the grant, and the manner in which it had come to be held rendering it almost impossible to carry the Rules through so many ramifications.

† Appendix X.

60. The Honorable Court of Directors, however, negatived the foregoing proposition, and observed,—

> "These are not sufficient reasons for perpetuating a tenure which, from its minute sub-division, is probably oppressive to the

Ryots, and of little value to most of the possessors."

61. The case was eventually scrutinised by the Inam Commissioner, when, out of the eight shares into which the holding was divided, three were found improperly entered in the Revised Lists, and there appeared every reason for believing fraud to have been committed, under circumstances described to Government in the following terms* :—

*Paragraphs 27 to 29 of the Inam Commissioner Capt. Cowper's letter No. 935 of the 30th August 18.5.

" 27. I should have recommended the stoppage altogether of the seventh share, did not the claimants appear to be very little to blame in the matter. In this, as in everything else connected with the previous inquiries regarding this case, the principals have never come forward, nor have they until now ever been desired to do so, everything having been done through a Brahmin agent, the truth of whose assertions seems to have been taken for granted, although they were made under circumstances peculiarly suggestive of the necessity of most careful scrutiny ; for having once ascertained that the holding had been recommended by the Agent for Sirdars for hereditary continuance, on the score of the difficulty of tracing its history, the interest of the agent of the claimants in increasing that difficulty became as direct as obvious.

"28. But I am unwilling to recommend the adoption of severe measures towards the claimants themselves, as they seem to have been the mere tools of the agent, Vittul Chintamun, and to have been victimised by him to an extent scarcely credible. Their case has long been a bye-word in Poona, where Vittul Chintamun has always been understood to have received, *for his own use*, every farthing of the large arrears, amounting to Rs. 12,267-7-7, the pay-

ment of which, on account of both of the villages comprising the Surinjam, was authorised under the sanction accorded by the Honorable Court of Directors to the revised Surinjam lists. I heard of this long ago, but could scarcely credit it, though I felt no difficulty in believing that advantage had been taken of the ignorance of the claimants, who are uneducated Murathas, unable, for the most part, even to write their names. There is, however, every reason for believing such to have been the case, as an agreement,* which is still in existence, and has been produced before me, was on the 9th January 1849 regularly executed on stamped paper, and by this document the members of the Nigray family bound themselves to pay Vittul Chintamun the whole of the arrears then due,—that is to say, arrears for upwards of nine years, amounting to more than Rs. 9,000, and, besides this, to grant him land in their village of the annual value of Rs. 75.

* "Since this paragraph was originally penned, the agreement has been either mislaid in, or stolen from, the Inam Commissioner's Office, and has not yet been found."

"29. I do not know whether such an agreement as this one would be upheld in a civil court, though, from what the Agent for Sirdars, Mr. LeGeyt, informed Government in paragraph 3 of his letter No. 429, of the 12th August last, I suppose that it would be considered a legally binding document. Government, in the case to which I have just referred, intimated that the legality of the description of bonds alluded to by Mr. LeGeyt was under consideration, but no further orders have been received. It must doubtless be difficult, but should it be possible effectually to discourage bargains of this nature, to do so would go very far towards disabusing the ignorant and most numerous classes of the community of a prevalent belief not more erroneous than prejudicial to good government."

62. The orders of Government in this case have not yet been received.*

* Government have since disposed of this case, and have, under date the 20th May 1856, ordered the arrangement recommended by the Inam Commissioner to be carried out.

63. I have now to describe the result of the Scrutiny of the Revised Lists of Pensions granted in commutation for Surinjams resumed by the British Government, the Rules laid down for the continuance of which, by the Honorable Court of Directors, accorded in principle with those directed to be applied to the existing Surinjams,—that is to say, the pensions were to be continued just as long as, under the aforesaid Rules, the Surinjams, had they not been commuted into pensions, would have been.

64. Shortly after the conquest of the Deccan, several districts, which had belonged to the Peshwa, were ceded by the British Government to the Nizam,† with whom it then rested to continue or not, at his pleasure, Surinjams to a large amount which had been held in those districts prior to the cession. Generally speaking, they were not continued, and a long discussion ensued as to whether compensation for them should be granted, and if so, whether the expense should be borne by the British or by the Nizam's Government.

† Appendix Y.

65. The manner in which these claims were finally disposed of was clearly described by the Inam Commissioner in the following terms‡ :—

‡ Paragraphs 3 and 4 of the Inam Commissioner Mr. Hart's report, No. 570, dated the 13th January 1853.

"3. The records of Government show that the whole of these Jagheers (which were generally spoken of as Chouth Jagheers) were valued at five lakhs of rupees, but after a very full and protracted discussion, which lasted from A. D. 1823 until 1825, and in which the right of the dispossessed Jagheerdars to compensation was discussed by the Supreme Government and that of Bombay, as well as by Mr. Chaplin and Sir Charles Metcalfe, the Government of India recorded as their opinion,

that no obligation attached either to the Nizam or to the Honorable Company to provide for the Chouth Jagheerdars, who had 'suffered by the events of the war in common with their late sovereign, Bajee Rao.'

" 4. The Government of Bombay was left to form a final opinion on this point, and they did so by sanctioning a proposal by Mr. Chaplin, that *a certain few* of the dispossessed Jagheerdars should be pensioned '*for life.*'"

66. The Honorable Court of Directors, for whose orders the question as to whether these pensions had been properly entered in the Revised Lists as hereditary ones was referred, issued the following instructions* :—

"In our letter of the 12th of April 1842, referred to by Captain Cowper, the only pensions of which we spoke were those granted in commutation of 'Jagheer land,' situated in territories ceded to a Native prince. We never intended to apply the same rule to those granted in commutation for payments from the Chouth, and, if we rightly understand Mr. Hart, he recognises the same distinction. We desire, therefore, that it be kept in view in revising the lists."

* Extract from paragraph 13 of political despatch No. 27, dated the 18th May 1853.

67. The pensions affected by the foregoing instructions, and which had been entered in the Revised Lists as hereditary ones, without a single word of reference to or explanation regarding the past proceedings on record, amounted to upwards of Rs. 23,000 per annum.

68. A pension of Rs. 320 per annum was entered in the Revised Lists in the name of Manuckjee wulud Bahadoor† who had never, it turned out on inquiry, been heard of during the preceding thirty years, and whose name had never been entered in any of the previous pension lists.

† Appendix Z.

69. Government in this case decided on prohibiting any further payment, without a certificate from the Agent for Sirdars of Manuckjee wulud Bahadoor being really alive.

70. Up to this date no such certificate has been, nor is it likely that one ever will be furnished, as Manuckjee died, in all probability, before the introduction of British rule.

71. Arrears amounting to Rs. 6,500, together with a life pension of Rs. 400 per annum, would, had no scrutiny of the Revised Lists taken place, have been paid to the sons of Yeshwunt Rao Babur,* on the strength of an entry in the Revised Lists, the erroneous nature of which was described by Government in the following terms† :—

"2. I am also desired to forward a *précis* of the past proceedings of Government on this subject, and to state that it is clear, from the facts mentioned by Captain Cowper in the 2nd and following paragraphs of his letter, that the Surinjam, in commutation of which the pension of Rs. 800 was assigned by Mr. Elphinstone in 1819, in the name of Jaitojee, (but apparently to his son Yeshwunt Rao,) was granted by the Peshwa as a *military* and not as a *personal* Surinjam, and this fact probably induced Mr. Elphinstone to affix a life-tenure to the pension.

"3. If, however, this point were to be waived in favour of the family, Mr. Brown still evidently committed an error in entering in his lists of 1851 the two younger sons of Yeshwunt Rao as entitled to a moiety of their deceased father's pension,‡ since their elder brother, Krishna Rao, who died in 1849, could alone possess any claim to succeed to that pension.

"4. If, therefore, by a liberal interpreta-

* Appendix **AA.**

† Paragraphs 2 to 7 of Government letter in the Political Department, No. 2677, of the 14th June 1853.

‡ "Mr. Brown awarded them the sum of Rs. 6,500 as arrears, which has not been paid, in consequence of the general precautionary order issued by Government on the 1st October last."

tion, the villages in commutation of which this pension was assigned were to be considered in the light of a 'personal,' and not of a 'military Surinjam,' this grant, in consequence of its having been conferred in the time of the last Peshwa, would be resumable on the death of the first British grantee, a stipend equal to a moiety of the resumed pension being continued for life to his son.

"5. If, therefore, Yeshwunt Rao be considered the first British grantee, his eldest son, Krishna Rao, would have been entitled, from the 1st March 1830 to the period of his death in 1849, to an annual pension of Rs. 400, from which should be deducted the annual allowance of Rs. 200 which was paid to his father's widow from March 1830 to November 1840, and from Krishna Rao's death in 1849 the grant would be entirely resumable. If, on the other hand, the grant be regarded as a *military* Surinjam, Krishna Rao, on the death in 1830 of his father, Yeshwunt Rao, would not have been entitled to any allowance.

"6. The names of Tookaram and Buheerjee Babur, the two younger sons of Yeshwunt Rao, having been improperly entered in Mr. Brown's lists, His Lordship in Council directs that they be forthwith expunged therefrom.

"7. Before finally deciding whether the late Krishna Rao shall be considered to have been entitled to any allowance for the period intervening between his father's and his own death, I am desired to request that you will report whether he has left a widow or children, and if so, whether or not they are in destitute circumstances."

72. The orders of the Honorable Court, confirming those of the Bombay Government in this case, are below transcribed.*

* Paragraphs 15 and 16 of political despatch No. 55, of the 12th October 1853.

" 15. In case 13 (on which you have not finally decided) Yeshwunt Rao Babur would be considered the first British grantee, and Krishna Rao his representative in the next generation ; but in our opinion it is not necessary to go into that question. As Captain Cowper observes, the Jagheer was a military and not a personal Surinjam, and Mr. Elphinstone was opposed to the continuance of military Surinjams. This case was, however, inserted in his list, probably, as suggested in the 9th paragraph of Captain Cowper's report, because Mr. Elphinstone considered it politic and humane to make some present provision for the Surinjamdar.

" 16. His intentions being limited to that object, he recommended that the allowance proposed by him should be only for life ; therefore, it properly ceased on the death of Yeshwunt Rao."

73. Half of a pension of Rs. 1,500, together with arrears amounting to Rs. 3,652, was entered in the Revised Lists as payable to Vishnoo Huree Oke,* on account of a Surinjam therein described as resumed by the British Government, but which, on inquiry, turned out to have been resumed by the Peshwa before the introduction of British rule, and to have been so described in express terms in Mr. Elphinstone's Lists.

* Appendix **BB.**

74. Government, on learning the real facts of this case, ordered the grant to be forthwith expunged from the lists.

75. A life-pension of Rs. 4,000 per annum was granted by Mr. Elphinstone to the disciples of Munohurgeer,† without any allusion whatever, in the recorded reasons for making the grant, to its being in lieu of a personal Surinjam ; whereas, in other cases in which pensions were granted in commutation for personal Surinjams resumed by

† Appendix **CC.**

the British Government, the fact was distinctly recorded by Mr. Elphinstone.

76. Half of the foregoing pension would, according to the Revised Lists, have been continued to a second generation, had not the Inam Commissioner's scrutiny placed beyond a doubt the fact of the Surinjam, described in the Revised Lists as one resumed by the British Government, not having been held at all at the introduction of British rule.

77. Government, on this information, declined to sanction the continuance of half the pension to a second generation.

78. An hereditary pension of Rs. 2,500 would have been continued to Boobajee Powar's son,* to whom arrears amounting to nearly Rs. 17,000 would also have been paid, had not the Inam Commissioner's scrutiny proved the Surinjam, which, according to the Revised Lists, had been resumed by the British Government, not to have been held at all at the close of the Peshwa's rule, and to have been so described in the clearest and most distinct terms by Mr. Elphinstone.

* Appendix DD.

79. The Inam Commissioner's report on this case elicited an order from Government declaring the pension to have lapsed at the death of Boobajee Powar, to whom Mr. Elphinstone had expressly granted it as a charitable allowance, "because, though a person of great rank, he appears to have no claim to any Jagheer."

80. The orders of the Honorable Court in this case are below transcribed†:—

"13. The reference of Mr. Brown's list of pensions in commutation of Surinjams to the Inam Commissioner has led to the expunging of No. 17 from the list. Captain Cowper's report conclusively shows that the original grantee of this pension held no Surinjam at the breaking out of the war, and was not con-

† Paragraph 13 of political despatch No. 55, of the 12th October 1853.

sidered by Mr. Elphinstone to have a claim to any Jagheer. The pension was granted to him on other grounds, and only for life. It was, however, continued undiminished to his son Boobajee, who died in 1845. Madhow Rao, the son of Boobajee, has clearly no valid claim to the continuance of any part of it. Fortunately, the recommendation of Mr. Brown in his favour had not been carried into effect."

81. According to the Revised Lists, arrears amounting to nearly Rs. 4,300, and a life-pension of upwards of Rs. 500, were to have been paid to Ragho Mulhar's son, Bapoojee Ragoonath,* on account of a Surinjam described as one resumed by the British Government, but proved by the Inam Commissioner's inquiry to have been resumed by the Peshwa several months before the introduction of the British Government, to whom the Peshwa ceded it by the Treaty concluded at Poona on the 17th of June 1817.

* Appendix **EE.**

82. The orders of Government in this case have not yet been received.†

† Government have, under date the 20th May 1856, notified their intention of submitting this case for the orders of the Honorable the Court of Directors.

83. The financial result of the scrutiny of these Lists, in so far as it has hitherto proceeded, is, that holdings of the estimated annual value of *seventy thousand rupees* have been found improperly (*i. e.* they were not what they were described to be, and they were, in reality, entered contrary to the Rules laid down by the Court of Directors, upon which the lists were professedly framed) entered as hereditary, they being continuable for two lives only; that one holding of the estimated annual value of *five hundred rupees,* entered in the lists as continuable for two generations, has been found properly continuable only for one; that Surinjams and pensions of the estimated annual value of more than *nineteen thousand rupees,* not continuable at all, have been found entered as life-grants; and lastly, that

arrears amounting to upwards of *thirty-eight thousand rupees* would have been improperly paid had this scrutiny not taken place.

84. This scrutiny has disclosed much that seems to demand serious consideration. In this place, however, I would merely advert to the unquestionable proof which it has afforded of the necessity of an Alienation Department. The amount of error and fraud now found to have been committed in this one (the Agent for Sirdars') office is certainly very great, and the Lists supposed to have been thoroughly revised have turned out not merely incorrect, but actually replete with error from which they were previously free. It is scarcely to be supposed that this could have occurred had there been a separate and specially trained agency available.

85. But I should be wrong to withhold from Government the conviction which the experience of some years has forced upon me, that matters are in a scarcely better state in the Revenue Department, while the public revenue at stake there is infinitely greater in amount :—the carelessness, ignorance, error, and fraud which pervade the past inquiries regarding alienated revenue it would, I feel assured, be next to impossible to find in any private transactions of similar extent. The fact is,—at least so it certainly appears to me,—that while the inquiry has, on the one hand, involved questions and technicalities but seldom thoroughly, and too often not at all understood, and has required time and labour, not a tithe of which the officers expected to attempt the task have had at their disposal, it has, on the other, been impeded and baffled by falsehood and fraud in almost every direction; and when to the foregoing it is added that the hereditary district and village officers, many of the former of whom are very highly remunerated,

have throughout been the principal agents in plundering the public revenue, for the protection of which they hold, and have ever held their Wutuns,—for the production of the revenue accounts of the former Government which they and others are now found to have concealed in every quarter would have long ago ensured the recovery of most of the fraudulent alienations,—when all this is considered, it seems really surprising that things are no worse than they are.

86. Before closing this report I would submit, with deference, a few observations on a subject which is, I am persuaded, of the last importance to the satisfactory and efficient prosecution of the inquiry for which a separate department has at length been partially organised. I refer to the degree of publicity which should be given to the proceedings of this Commission, which, in each case of any importance, should, I am very strongly of opinion, be published as soon as possible after final adjudication. There is nothing, I believe, so well calculated as this to correct much popular error which prevails, and which it is the special object of a few interested parties to foster and disseminate for their own improper purposes.

87. The people of this country are unfortunately not at present in a condition to understand or to appreciate the fact that their relief from unfair and undue taxation is one of the chief objects of the Alienation Inquiry, and one which renders imperative upon the Government, as trustee for the community, its thorough prosecution; but this furnishes, I think, the strongest grounds for putting it out of the power of any educated person to plead want of opportunity, and means of obtaining a knowledge of the truth, as an excuse for ignorance or for the advancement of unfounded assertions.

88. The publicity I advocate would, even though not effecting everything to be desired, certainly remove one cause of complaint,—would, by correcting much existing misapprehension, greatly facilitate the inquiry,—and would, moreover, render comparatively innocuous the mischievous misstatements sometimes emanating from quarters whence better things might be expected.

89. It is in the hope that Government will see fit to publish the correspondence that has taken place in connection with this Scrutiny of the Revised Surinjam and Pension Lists, that I have appended a statement of the documents which afford a complete history of each case as far as it has gone,—whether it be the past proceedings; the errors in those proceedings which have now been exposed and corrected; or the grounds and principles upon which such correction has been made.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

Minute by the Right Honorable the GOVERNOR, *dated the 8th July* 1856.

Captain Cowper's comprehensive Report on the Scrutiny of the revised Surinjam and Pension Lists induces me, after the sentiments of Government having been expressed upon the merits of each case, to lay before the Board the general conclusions which have been suggested to me by this important investigation.

2. The errors which the Revised Lists contained have been rectified to the extent to which the scrutiny has up to the present time proceeded. But the discussion cannot be closed without a marked expression of the opinion of Government as to the source of the evils which have been redressed by the strenuous exertions of the Inam Commissioner, and a consideration of the means which should be adopted for the prevention of similar evil hereafter.

3. A perusal of Captain Cowper's report at once establishes the conviction that a considerable revenue would have been irrecoverably lost to a Government which is already unduly burdened by the grants and alienations of former rulers, but for this arduous investigation. But the loss of a specific amount of revenue forms only a minor element of the evil which has been disclosed,—the systematic, and hitherto successful fraud which has been arrayed against the rights of Government—the encouragement given throughout the Presidency to the belief that an under-current of intrigue and falsehood may defeat those rights—appear to me the real evil with which we have to contend, and which demands from us a vigorous control.

4. The Surinjam investigation discloses a system of fraud. It fixes the delinquency upon the Office of the Agent for Sirdars at Poona. It is with regret I am compelled to state that the Agents to whom the revision of the Surinjam Lists was entrusted have acquitted themselves of that duty in a most incomplete and perfunctory manner; but what was carelessness in them was dishonesty in their subordinates. Some of the principal of these subordinates are dead, and it would, therefore, be difficult to fix specific guilt upon those that remain, or to apportion the degree of wrong-doing to each; but one fact appears to me to stand clear upon the evidence adduced in

the Surinjam Inquiry—that the Agent's Office has been an organisation for the deliberate robbery of Government.

5. With this organisation we should deal promptly and vigorously. A Government cannot infringe upon the liberty or property of any of its subjects without due and legal proof of delinquency; but it has a right, when a great wrong has been perpetrated by a body of its servants, and when it cannot exactly fix the wrong upon individuals, summarily to relieve itself from the general body, especially when the suspicion cannot be avoided that all were in some measure guilty.

6. I propose, then, to abolish the establishment attached to the Office of Agent for Sirdars; the Agent himself I would, at least for the present, retain. In discussing this measure, I shall first briefly state the reasons which, in my opinion, constitute its complete justification, and I shall then detail the arrangements which I would propose if my views meet with the concurrence of my colleagues.

Kuddum Banday Case.

7. In Mr. Warden's Lists of 1844 the Kuddum Banday Surinjam was entered as hereditary. In the next year Mr. Warden submitted, in the Revenue Department, a report clearly showing that the holdings had never been granted in Surinjam, but were Inams, which had been resumed by the Peshwa, and continued by the Commissioner of the Deccan, as an act of grace, for the lives of the claimants. Notwithstanding this plain statement of facts, the holdings were entered as hereditary Surinjams in Mr. Brown's Lists of 1847,—although they never were Surinjams, and never were granted before 1751,—although they were Inams which had been resumed, and only continued for one life.

Nigray Case.

8. The Surinjam of the Nigray family had been recommended for hereditary continuance, on the ground of the difficulty of tracing its history. When, however, the Honorable Court declined to permit its continuance, it was obvious that a very careful and minute inquiry was demanded, as the parties interested would naturally exert themselves to complicate the difficulty. On the inquiry being commenced, the principals were never examined, but the assertions of a Brahmin agent were received without question. It was subsequently shown by the Inam Commissioner that three out of eight shares had been imperfectly entered in the Lists, and that the Brahmin agent had obtained from the

principals—who, throughout, took no part in the discussion—an agreement, by which he was enabled to appropriate to his own use the whole of the arrears, amounting to upwards of Rs. 12,000, which were ordered to be paid to the family on the conclusion of the Agent's inquiry. Captain Cowper states that this case was a bye-word in Poona, and that he had frequently heard the story before his own duties led him to an examination of the Nigray claims.

Balkrishna Kanuday's Case.

9. The case of Balkrishna Kanuday's pension is somewhat similar to that of the Nigray family. The Court of Directors ordered a pension to be paid to Narayen Balkrishna Kanuday, with arrears of Rs. 10,000. Ten days after this sanction was received in the Agent's Office, some of his subordinates obtained a bond from Narayen Balkrishna, by which he bound himself to pay half of the arrears, and an annual pension of Rs. 100, to persons who were to make the necessary exertions to obtain for him what they knew, though he did not, had already been granted. The facts transpired, and the agreement was never fulfilled. Narayen Balkrishna was, however, unable before his death to obtain either pension or arrears, and the Agent's explanation of these facts was pronounced by Government to be "*not* satisfactory."

Mahomed Huneef's Case.

10. On the lapse of a Surinjam held by Mahomed Huneef, Mr. Elphinstone's Moonshee, a pension was granted to the next generation. From this pension deductions were made in the Agent's Office to the amount of about Rs. 5,000, on account of a village described as having been held without due authority. On the records being transferred to the Inam Commissioner, an original letter of Mr. Elphinstone, authorising the grant, was discovered, and the error rectified. But for the diligence of the Inam Commissioner, the gross carelessness of the Agent's subordinates would otherwise have deprived the receiver of the pension of a considerable sum of money.

Manukjee Bahadoor's Pension.

11. The Revised Lists contained an entry relative to the pension (Rs. 320) of Manukjee Bahadoor, although such a person had never been heard of during the thirty years which intervened between the fall of the Peshwa and the revision of the Lists in 1847. Such an entry was little more than offering a reward for the personation of Manukjee. On a report from the Inam Commissioner the entry was expunged.

12. In the case of the Wamorekur's Surinjam, a most gross fraud was committed. The Surinjam had been correctly entered in former lists, but in the Lists of 1844 a mistake was alleged to have occurred in the calculation of the Arabic year. The grant was thus pronounced to be one of A. D. 1741. The Inam Commissioner showed that no mistake had really occurred, and that the Arabic year corresponded with A. D. 1771. Mr. Brown's Lists of 1847 retained Mr. Warden's erroneous entry, without remark, but with an erroneous addition.

The Wamorekur's Case.

13. The Surinjam of Krishn Rao Neelkunt Moozumdar was entered in the Lists of 1844 as having been granted before 1751. The Government, in noticing this entry, pointed out that only such portions as were granted before 1751 should be entered as hereditary. Notwithstanding this caution, the Surinjam was again entered as hereditary, because granted before 1751. The Inam Commissioner subsequently showed that the portion granted before 1751 constituted about an eighteenth part of the whole.

Krishn Rao Neelkunt Moozumdar's Case.

14. The Surinjam of Meera Gunnee Rissaldar was entered correctly in Mr. Warden's Lists, but on their revision by Mr. Brown, it was stated to be a Surinjam attached by the Peshwa and restored by the British Government. The real fact was that the Surinjam did not exist until three years after the introduction of British rule.

Meera Gunnee Rissaldar's case.

15. The Surinjam of Bhugwunt Rao Holkar, both in Mr. Warden's and Mr. Brown's Lists, was entered as one granted by the Peshwa. It really was a grant by Holkar, and had no connection with the grants of the Peshwa to which the Honorable Court's Rules alone were applicable. The case had been adjudicated, and the whole of the true facts were on record in the Agent's Office.

Bhugwunt Rao Holkar.

16. The Surinjam of Krishn Rao Neelkunt Poorundhuree was entered in Mr. Warden's Lists as hereditary, although only two-sixths of it were granted before 1751. The Government in this case pointed out the doubt which existed, and the claimant himself furnished the Agent, Mr. Brown, with the correct dates of the grant. Notwithstanding these facts, the error was retained and was eventually exposed by the Inam Commissioner.

Krishn Rao Neelkunt Poorundhuree's Case.

17. On the lapse of a Surinjam held by Saojee Rao Nimbalkur, a pension of Rs. 794 per annum, with arrears amounting to Rs. 7,000, was granted to Mankojee Rao Nimbalkur, on the ground that his adoption by Saojee had received the sanction of the Peshwa. It was subsequently discovered by the Inam Commissioner that no such sanction had been accorded. He also showed that the late Raja of Moodhole had disbursed Rs. 6,000 as a bribe in this case (to whom could not be discovered), and that perjury and forgery had been resorted to without scruple, in support of the claimant's pretensions. The payment of the pension was stopped, and Mankojee Rao's name was expunged from the List of Sirdars.

The Case of Saojee Nimbalkur.

18. Pensions amounting to Rs. 23,000 per annum were entered in the Revised Lists as hereditary, without even an allusion to proceedings on record in the Agent's Office, showing the whole of these pensions to have been specifically declared "life-grants" only.

Chouth Surinjam Pensions.

19. A Surinjam in Nimar was entered in the Revised Lists as hereditary in the name of Chimnajee Vittul Poorundhuree. Its restoration on that tenure was advocated, on the ground that its resumption on the death of the last incumbent was an "oversight." The records of the Agent's Office showed that so far from the resumption being an oversight, the holding had been formally declared by the Supreme Government in 1822 a life-grant, and that Chimnajee Vittul, on the death of the grantee, had, through the Agent, applied for its continuance, and that his application had been negatived. Mr. Warden, on the case coming before Government, expressly stated that these facts had never been brought to his notice.

Chimnajee Vittul Poorundhuree'sNimar Surinjam.

20. The Deccan Surinjam of Chimnajee Vittul Poorundhuree was entered in the Lists of 1844 as hereditary, and as supported by Sunuds of dates prior to A. D. 1751. The error was retained in Mr. Brown's Lists; but it has been established beyond doubt that a large portion of the Surinjam was granted after 1751.

Chimnajee Vittul Poorundhuree's Deccan Surinjam.

21. These cases—and there are others equally significant—plainly show that frauds have been practised on the Agents, Mr. Warden and Mr. Brown, who, unfortunately, having other arduous duties to perform, evidently left the preparation of the Lists to their subordinates.

An inquiry into these transactions was defeated by the sudden death of Bheemrao Ramajee, the Sheristedar, who was summoned from his appointment of Moonsiff of Amulnair to afford the necessary explanations, but who died before he could leave Khandeish. The statement of Raojee Pendsay, an old pensioner, formerly employed in the Duftur and supposed to know more about the Peshwas' records and the affairs of the Poona Sirdars than any other Native, although it cannot be relied upon with confidence as evidence, is much to the point :—

"Now and then I had to go to the Adawlut for the purpose of giving my evidence as to the authenticity or otherwise of Sunuds, and on these occasions Bheemrao and Vidyadhur Purushram, the Sheristedars of the Agent, showed me the Murathee draft of a general statement of Surinjams which they had drawn out with a view to the preparation of Surinjam lists to be sent to England. I pointed out to them, then and there, the alterations that I thought necessary, after carefully examining the entries shown to me: but I have reason to believe that these alterations were not made by them; for in the case of the Kuddum Banday's Inam villages in Khandeish, which were entered in the draft as Surinjam, I pointed out to them the error which they had committed, notwithstanding which these villages were entered in the list as Surinjam. In this manner they did just as they thought proper. I never saw Mr. Warden personally during the time he was Agent."

22. I have little doubt that Vidyadhur Purushram was deeply implicated in this system of fraud; but to support a criminal charge against him would be impossible, as he would in every instance plead that he acted under the instructions of the superior, Bheemrao. But the Government has a right to say to him and to others,—"These frauds, or these gross errors, could not have occurred without your knowledge, and it was your duty to have brought them to the notice of the head of the office." There is not, or at all events there ought not to be, a single man in the Poona Agent's Office who is not able to tell whether a certain Arabic year corresponds with A. D. 1741 or A. D. 1771.

23. If, as I anticipate, my colleagues concur with me in the propriety of abolishing the Agent's Office, the following are the arrangements which I would propose :—I would for the present retain the Agent, without diminution of salary during the time the present

incumbent shall hold office. On his retirement, the salary should be reduced to Rs. 200 per mensem, the salary drawn by the Political Agent in the Southern Muratha Country. The law, as it now stands, requires that there should be an Agent to decide suits against or among Sirdars; that duty the Agent should continue to perform. The political, as distinguished from the judicial duties of the Agent are now very light, the Sirdar List having very much decreased, and the charge of the Poona Duftur having been transferred to the Inam Commission. They are confined to negotiations for the settlement of claims against Sirdars, without, if possible, resort to civil action; and to visits of ceremony. These duties the Agent should continue to perform; and if he finds his establishment as Judge of Poona not sufficiently strong for the subordinate duties of the office of the Judge and Agent, the Government will be prepared to consider any application for increased assistance which may be supported by reasonable proof of its necessity.

24. The saving effected by the abolition of the Agent's establishment will be available for the extended establishment required for the Alienation Department, which already performs a considerable part of the duties which were formerly expected from the Agent's Office. In arranging his establishments, Captain Cowper will be competent to take any of the clerks and Karkoons of the Agent's Office whom he may be inclined to regard as not implicated in the Surinjam frauds.

25. In conclusion, I can only reiterate the expressions of approbation which the zeal, energy, and ability of Captain Cowper have frequently elicited from Government during the arduous inquiry in which he has been engaged; and I propose that the reports detailed in the list which accompanies this letter, with the subsequent correspondence required to render each case complete, be printed at the expense of Government, and distributed among all heads of the civil departments of this Presidency.

8th July 1856. (Signed) ELPHINSTONE.

Minute by the Honorable Mr. MALET, *dated* 11*th July* 1856.

I entirely concur in the observations and opinions recorded by the Right Honorable the Governor in his Minute of the 8th instant. I

consider the measures proposed for the dismissal of the establishment of the Office of the Agent for Sirdars are called for by the circumstances which have been disclosed, and that the eventual modification of that appointment is judicious; and I cordially agree in the approbation bestowed on Captain Cowper, who in his able proceedings has rendered no common service to Government.

11*th July* 1856. (Signed) A. Malet.

*** Orders carrying out the measures described in the foregoing Minutes were issued to the Agent for Sirdars, and to the officer in charge of the Alienation Department, on the 15th July 1856.

APPENDIX A.

No. 3127.

To H. E. Goldsmid, Esq.,
Secretary to Government, Bombay.

Sir,—I have the honour to reply to your letter No. 9775, dated 24th December 1850, my answer to which has been delayed by the necessity of making several references to various quarters for further information.

2. The history of the Kuddum Banday family's tenure of the alleged Inam villages to which your letter relates—that is, its history since the introduction of the present Government—affords a striking example of how thoroughly a case may become confused and entangled from the want of a department like the Surinjam Department of the Peshwa's Government, the duty of which was to record and keep in sight all orders relating to alienations of public revenue. I shall endeavour in the first place to draw up a brief detail of what has been done regarding the Kuddum Banday family's claims.

3. On the 13th December 1818 the Sole Commissioner in the Deccan ordered the Political Agent in Khandeish to prepare lists of the Jagheers of certain Jagheerdars in that province.*

4. On the 6th January 1819 the Political Agent complied with this requisition. Regarding the Kuddum Banday family he stated that their *Jagheer* had been long ago resumed. He, therefore, left it to the Commissioner to settle what arrangement was to be made for the future subsistence of the family; having merely taken upon himself to restore "for its support in the meantime" some *Inam* villages which he (the Political Agent) had been led to believe were unauthorisedly seized by one Kadir Bhaldar† and his rebel Arabs the previous year.

5. On the 10th January 1819 the Commissioner replied in a brief letter, merely approving generally of the Political Agent's arrangements.

6. On the 19th June in the same year (1819) the Political Agent in a letter to the Commissioner reminded him that as yet no settlement had been made of the Kuddum Banday family's and others' claims for their Jagheers;

* My authority for what is here stated in paragraphs 3 to 6 is the copies &c. which form the accompaniment to the Khandeish Collector's letter to Government No. 138, dated 4th March 1845.

† Mr. Agent Warden's report to Government, No. 128, dated the 26th July 1845, shows that this seizure was specifically *ordered* by the Peshwa.

and on the 24th of the same month the Commissioner replied that the general settlement of Jagheers would probably be completed in another month, and that, meanwhile, the Political Agent should grant the distressed families "some pecuniary assistance."

7.* On the 9th December 1819 the Political Agent wrote to the Commissioner in the Deccan, again bringing to his notice the application of the Kuddum Banday family for "some allowance," to which the Commissioner replied that as the Surinjams of that family had long ago been resumed by the late Government, and their Inams usurped by others,† he was not inclined to recommend any further provision being made for them than that already made in the restoration of their Inams.

8. So far, and for several years afterwards, the Kuddum Banday family were regarded as having finally lost their great Surinjams; their restored Inams being looked upon, apparently, as a family property to which they had a right, though their enjoyment had for a time been interrupted.

9. The *Inams* restored to them appear, however, to have been subsequently regarded as *Jagheers*, for on the 24th July 1826 the Acting Collector of Khandeish wrote to the Sub-Secretary to Government to press for a settlement of the claims to Jagheers in Khandeish, independently of those to Inams; and in reply received from the latter officer a letter, No. 108, dated 17th April 1827, with which the Sub-Secretary stated that he forwarded *for the Collector's opinion* a "Murathee memorandum of the Jagheers which appear from the records of the late Government to have been restored on equitable grounds, and also for the same purpose (opinion) a tabular (English) statement of such of the claims as appear to have been wholly or partially founded on usurpations." The Collector was also informed that no definitive orders would be issued until his report should be received.

10. References made by me to the Secretary to Government and to the Agent for Sirdars have led to the discovery that the "Murathee memorandum" mentioned by the Sub-Secretary has been lost, but I have obtained from the Agent for Sirdars the copy of an extract furnished to him by the Collector of Khandeish from the English tabular statement which accompanied the Sub-Secretary's letter No. 108 of 1827, and its column of "Remarks" evidently contains the substance of the missing Murathee memorandum. This tabular statement and the "Remarks" in question show (under Nos. 19 and 20 of the statement) that the Kuddum family's right to their alleged *Inam* villages of Koprel,‡

* My authority for what is stated in paragraph 7 is to be found in the accompaniments to the Khandeish Collector's letter to Government dated 22nd May 1827.

† The Commissioner appears to have been ignorant of the fact proved by Mr. Warden, as noticed above in my note on paragraph 4, that the resumption of the Inams as well as the Surinjams was ordered by the Peshwa.

‡ Throughout this report I have followed this mode of spelling, though by no means sure that it is correct, as I have not seen the names of any of the villages written in the Native character, and the spelling of them varies very much in the English correspondence from which my report is compiled.

Tannah, and Runalé (Choley) was disallowed by Government, on the grounds that they had been attached by the late Government, as was proved by a reference to the Peshwa's Duftur. Government proposed, therefore, to resume these villages.

11. On the 22nd May 1827 the Collector of Khandeish submitted to the Sub-Secretary, as his opinion, that the course proposed by Government in the tabular statement last mentioned should be generally adopted, but suggested, as an indulgence to the Kuddum Banday family, that the Inams thus found liable to resumption should be continued *as a life-grant.*

12. On the 21st June 1827 the Sub-Secretary, in a letter No. 160, intimated to the Collector of Khandeish the consent of Government to the indulgence thus suggested,—viz. that the Inams restored in A. D. 1819 by the Political Agent, (as stated in paragraph 4,) should be continued during the lives of the incumbents, who, from the tabular statement mentioned in paragraph 10, seem to have been Bhaskur Rao (incumbent of Koprel and Tannah) and Krishnrao *et cetera* (incumbents of Runalé).

13. On the 19th August and 26th September 1843, and 3rd August 1844, petitions were made to Government by various members of the Kuddum Banday family, protesting against their villages Koprel, Tannah, and Runalé being restricted to life-holdings, and pointing out that they were hereditary *Inams* and *not Jayheers.* On these petitions the Collector of Khandeish, Mr. Bell, reported to Government on the 23rd December 1844 that even their continuance for life was to be regarded as an indulgence, and, in corroboration of this opinion, referred Government to the correspondence quoted above in paragraphs 9 to 12.

14. On the 29th January 1845 Government, in a letter No. 438, called on Mr. Bell for a further report on the merits of the three petitions ; and in his reply, No. 138, dated 4th March 1845, that officer very strongly advocated the opinion that the restored Inam villages should be continued hereditarily, explaining at length the reasons of this his change of opinion regarding them, and quoting in support of it the correspondence above described in paragraphs 4 to 6.

15. On the 26th March 1845 the correspondence above described in paragraphs 13 and 14 was referred by Government with a letter, No. 1370 of 1845, in the Territorial Department, for the report of the Agent for Sirdars, whose reply, No. 128, dated 26th July 1845 (with a postscript dated three days afterwards) and accompanying extracts from the Peshwa's Duftur of A. D. 1816-17, show that the Kuddum Banday's Inams were not seized from them by rebels, but confiscated by orders of the Peshwa in consequence of *their* rebellion.

16. In consequence of this report, Government on the 15th August 1845 issued to the Collector of Khandeish the instructions contained in the letter No. 4024, to the effect that the limitation of the Kuddum Banday family's enjoyment of the villages Koprel, Tannah, and Runalé to a life-tenure was clearly justifiable, and that the question of the tenure of a fourth village,

Torkhera, held by the same family, was to be considered at the death of the incumbent. A copy of this letter was sent to the Agent, and on the same day, under the Government resolution No. 4026, the petitioners mentioned in paragraph 13 were informed that the Government decision of 1827, described above in paragraph 12, was final.

17. On the 20th February 1850 the Collector of Khandeish, in his letter No. 377, reported the death (in 1848 and 1849) of two persons whom he mentioned as sharers with another, Purwutrao, in the villages of Runalé and Torkhera, and proposed to resume their shares, according to his interpretation of the Government circular No. 4669, dated 19th December 1844. To this Government objected, as there appeared from the Collector's report to be still a third co-sharer in existence, and because the circular alluded to by the Collector referred to money allowances (pensions), and not lands. The Collector was, therefore, by a letter No. 1972, dated 14th March 1850, called on for a further explanation.

18. This further explanation is contained in the Collector's letter to Government No. 2094, dated 24th October 1850, which is the latest in date of all the documents sent for my opinion and report with your instructions under reply.

19. In submitting my opinion, I shall in the first place adopt hypothetically the idea that the Collector is correct in supposing that Government still adheres to its decision of the 15th August 1845, described above in the 16th paragraph; though, as I shall afterwards show, (see below, paragraph 24, and Appendix,) there is now some reason for doubting whether Government has not, after all, annulled that decision, as well as the previous one of 1827, referred to by it.

20. Supposing, however, the tenure to be one for life,—the Collector's first reason for resuming shares of it, as the shareholders die, is that they have divided interests, and that the grant did not specify that the estate was to be enjoyed undividedly until the death of the survivor. But it must be remembered that Government had nothing to do with the division of the family's interests. Had this been the case, and had each share in each village been guaranteed as a separate grant, then I think that the Collector would be right; but a reference to the correspondence above described shows that in 1827 the two villages Koprel and Tannah were ordered for life continuance to the then ostensible holder, Bhaskur Rao Kuddum Banday, and Runalé to Krishnrao *et cetera* Kuddum Banday (a lamentably loose way of describing persons having a right against Government); and that in 1845 Government decided that the question as to the future continuance of Torkhera was to be left untouched until the death of the person who was then incumbent; but who that person was is nowhere stated in the correspondence sent to me.

21. All that can be gathered from the orders of 1827 and 1845 (supposing them to be still effective) is that Government is pledged to continue Koprel and Tannah till the death of Bhaskur Rao, not resuming or in any way inter-

fering with any division or family arrangement of those villages *until* then; but when that event occurs the whole may be resumed without respect to shares or other private arrangements. In the same way, Runalé must be continued until the death of Krishnrao *et cetera*, it being left to Government to call for an investigation by the Collector, and decide who, besides Krishnrao, ought to be admitted to the privileges promised in such a loose manner; and thus, also, when Government by like investigation shall have discovered who were the recognised incumbents of Torkhera in 1845, that village should be continued undisputedly until the death of the survivor of them, it being left for decision, either then or in the meantime, whether or not it should be subsequently continued to any one. This is the only course I can suggest in a case which strikes me as very indefinitely and unsatisfactorily managed from the first.

22. With respect to the case of the Bargul family, now alluded to as a precedent by the Collector, I may observe that it seems different, inasmuch as the widow whose claim was rejected seems to have claimed *possession* of what had never been inherited by the person whose immediate heir she was; and it seems to have been such a reversionary interest as *that* which was denied by Government, and not the mere continuance of a life-tenure till the death of the survivor of co-sharers recognised as such by Government. In the present case (still supposing the estate a life-tenure) it by no means follows that if the shares of the deceased sharers are left untouched by Government till the death of the survivor,* the latter will obtain possession of them; they will of course be held till his death by the nearest heirs (or assignees) of the deceased sharers. It is only as a *definition of the term of continuance* that the life of the survivor need be alluded to by Government—not as creating or affecting, during that time, any right of *possession*.

23. Government has already objected to the interpretation of the circular No. 4669 of 1844 brought forward by the Collector of Khandeish in his 2nd paragraph. If the shares had been separately guaranteed by Government, the interpretation might have been supported.

24. I now come to a remarkable phase in the very involved circumstances of the Kuddum Banday family,—I mean the condition into which its tenure has been brought by the Honorable Court of Directors' sanction of the revised lists of Surinjams in the Deccan, approved of in the Court's letter to the Bombay Government, No. 15, dated 22nd May 1849. Government will observe that the Collector of Khandeish, in the 3rd and 4th paragraphs of his letter alluded to above in my 18th paragraph, has referred to the effect of the sanction of the Surinjam lists on the Kuddum Banday family's claim, and I beg to annex (vide Appendix) an extract of my letter No. 3111, dated 31st March 1851, to the Agent for Sirdars, and of his reply, No. 149, dated 11th April 1851, regarding the same subject.

25. Government will observe that Mr. Brown is of opinion that the

* This hypothesis is of course inapplicable to the villages Koprel and Tannah, which seem resumable absolutely at *Bhaskur Rao's* death, according to the orders of 1827.

Honorable Court's approval of the revised Surinjam lists in which the Kuddum Bandays' tenure of their restored Inams is regarded as hereditary (list Nos. I., Nos. 62 and 63) has annulled the former decisions regarding them,—"which," he says, "had been brought to the notice" of the Court. It is, however, quite evident that the Honorable Court did not notice the proceedings referred to, or otherwise they would certainly not have abstained from *any* mention of them in their letter No. 15 of 1849.

26. Mr. Brown can scarcely be correct in imagining, as he states, that Mr. Warden included the resumed villages in the Surinjam list No. I., as entitled to be regarded as hereditary, from being part of an old Surinjam older than A. D. 1751; as the tabular statement of 1827, and the petitions of 1843-44, both seen by Mr. Warden, show that at least two of the villages were claimed as grants of the Peshwa Madhow Rao Bullal, who did not begin to reign till A. D. 1774, and he (Mr. Warden) was aware of their subsequent resumption in 1813-14 and 1816-17. In fact, the Inams, whether old or new, did not belong to the Surinjam at all, and it is to the Surinjam only that most of the remarks in the Agent's list can apply.

27. There seems no doubt, therefore, that the Honorable Court did not take full cognisance of this case, or they could not have left it without special notice.

28. But notwithstanding that the Kuddum Banday family is so wholly without *intentionally recognised* title, I cannot help thinking that the family has a strong claim for some provision from Government. When that of 1819 was made, as stated in the letters referred to in paragraphs 4 and 5, the authorities did not contemplate the resumption of the Inams then restored or the discovery of their want of title, or the Commissioner would have treated the Kuddums as he did other ruined Sirdars—by making some other provision for them; and the family does not appear one of so little note as to have had provision made for merely the lives of its then existing representatives. Government, however, will be the best judges as to whether, under all the circumstances of the case, it will or will not be right to obtain the grant in perpetuity to the family of the villages, to which I do not think, strictly speaking, they have now any tenable hereditary title.

29. If this should be done, I would suggest that some *definite* grant and guarantee should be made, which will for the future obviate the possibility of a recurrence of such confusion and uncertainty as the very loose procedure formerly observed in this case has occasioned.

30. In case of such a grant being made, of course, the suggestions made above in my 21st paragraph will become inapplicable, as they are made only on the Collector's assumption that the alleged Inamdars' tenure is a *life*-tenure.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

Belgaum, 23rd April 1851.

APPENDIX TO THE INAM COMMISSIONER'S LETTER No. 3127, DATED 23RD APRIL 1851.

Extract, being Paragraphs 2 *and* 3, *of a Letter from the Inam Commissioner to the Agent for Sirdars, No.* 3111, *dated* 31*st March* 1851.

2. I shall also feel grateful if you will kindly inform me on what alteration of decision, or other grounds, the villages in Khandeish claimed by the Banday Kuddum family have come to be styled " Surinjam" instead of *Inam*, and why they have been admitted into the First Class of Surinjams in the Deccan, which consist of *hereditary* holdings, among which they appear as Nos. 62 and 63 in the list of that class.

3. In the 14th column of the list in question, allusion is made to Mr. Warden's report, which shows that the villages had been resumed in 1813-14 and 1816-17 under the late Government, and to the decision of Government which ordered their continuance, though void of valid title, during the lives of the incumbents, but no longer. My difficulty is to know whether or not the previous orders of Government in this case are to be considered as annulled by the entries No. 62 and No. 63 in question, and I shall feel much obliged if you will give me information on this point also.

Extract, being Paragraphs 3 *and* 4, *of a Letter from the Agent for Sirdars, Poona, to the Inam Commissioner, No.* 149, *dated* 11*th April* 1851.

3. With regard to the 2nd paragraph of your letter, I beg to inform you that when Mr. Warden was directed to prepare a Surinjam list agreeably to the instructions of the Honorable the Court of Directors in 1842, he called upon several Collectors in the Deccan to furnish him with a list of Surinjams situated in their respective Collectorates, and in the list received from the Collector of Khandeish, the villages of Koperlee, Tannah, and Runalé were shown as Surinjam. On this information, and also on the Peshwa's records,—which showed that these villages were a remnant of an ancient and extensive Surinjam held by Kuddum Banday's family previous to 1751,—Mr. Warden entered the villages as hereditary in the Surinjam lists which he submitted to Government on the 29th December 1844. Afterwards, when Government entrusted to me the duty of revising the lists originally prepared by Mr. Warden, I put the previous correspondence between that gentleman and Government, in 1845, as an Appendix to the entries No. 62 and 63, noticing the same in its proper place.

4. The revised Surinjam lists having been sanctioned and confirmed by the Honorable the Court of Directors in 1849, the previous decisions of Government in the case of Kuddum Banday, issued in 1828 and 1845, which had been brought to the notice of that authority, must, I should consider, have been annulled.

(True extracts)
(Signed) W. HART, Inam Commissioner.

No. 349 of 1851.

POLITICAL DEPARTMENT.

From H. Brown, Esq.,
Agent for Sirdars in the Deccan,

To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Dated Poona, 11th October 1851.

Sir,—I have the honour to acknowledge the receipt of your letter No. 2792, dated the 28th June last, with enclosure from Mr. Hart, the Inam Commissioner, regarding the claim of the Kuddum Banday family to certain Surinjam in Khandeish.

2. In reply, I beg to state that the Mokassa of the Purgunas of Sooltanpoor and Nundoorbar, in which all the villages at present forming the possessions in Khandeish of the Kuddum Banday family are situated, was held by them as Jagheer a long time anterior to A. D. 1751. The earliest record forthcoming from the Peshwa's Duftur bearing out this fact is the registry of a Sunud dated *27th Zilhej, Soor Sun Esunay Khumsain Mya wu Ulluf,* which, though rendered by Captain Gordon as A. D. 1752, is properly speaking A. D. 1751, November. This Sunud mentions that the Mokassa was held by the Kuddums "Péshjee passoon," or from former times. In endeavouring to ascertain how far back this expression in the Sunud was intended to carry the enjoyment of the Mokassa, I find from Grant Duff's History of the Murathas (vide column 1, page 491) that the ancestor of the Kuddum family, named Kunthajee Kuddum Banday, was as early as A. D. 1725 a distinguished Muratha leader in Guzerat, and, according to this Historian, he gained a victory over the Gaekwar at the Battle of Cambay, and retired in that year to his Jagheer district in Khandeish. It is worthy of notice that this family never held Jagheer districts in Khandeish other than the two above mentioned. I beg to annex copy of a letter from Captain Gordon, in charge of the Poona Duftur, No. 89, dated the 19th July (No. 1), and a translation of the Sunud above referred to (marked No. 2).

3. The village of Runalé, in the Purguna of Nundoorbar, appears to have been first granted in A. D. 1752 by Dada, who is better known by his other name of Raghoba. This grant is recorded in the account of the district of Nundoorbar, and in the Treaty or agreement made by the Peshwa with the Kuddum Banday family, and in the registry of outward letters. The English translations of extracts from these documents are enclosed (marked Nos. 3, 4, and 5 respectively). The tenure, as specified in these papers, is "Buksheesh," or reward for services.

4. The villages of Tannah and Koprel, situated in Purguna Nundoorbar, appear to have been first granted as Inam in A. D. 1762, by orders of the Peshwa, who confirmed the same by a Sunud two years afterwards. The

purport of this Sunud is recorded in the registry of outward letters, an extract from which, embodying the purport, is annexed (No. 6).

5. In 1768 the Surinjam and Inam held by Madhow Rao Banday was resumed from him and transferred to Amrut Rao Kuddum Banday. The memorandum of transfer, a translation of which is appended (No. 7), states the grant was for the support of troops required to be kept up for the service of the State. The translation No. 8 is a Sunud dated A. D. 1783, registered among outward letters in the Peshwa's Duftur. The object of the Sunud is to confirm to Bulwunt Rao Kuddum Banday, son of Amrut Rao who died in that year, the Surinjam and Inam held by his late father. In this document the villages of Tannah and Koprel are specified as grants for the support of the quota of troops the family was to furnish.

6. I beg to annex an English translation (No. 9) of an extract from the Peshwa's registry containing a Sunud dated A. D. 1795. This document shows that the Inam and Surinjam granted to the family had for their object the maintenance of troops.

7. The translation No. 10 is an extract from the general list of Surinjams held by different Sirdars, dated A. D. 1800. In this document the villages of Tannah, Koprel, and Runalé are entered under the names of the holders, with specification of the number of troops they were to furnish. The villages, though designated " Inam," are still entered in a list professing to give an account of Surinjams. This would go in some measure to show that the *Inam* was not then understood in a different light from *Surinjam.*

8. I beg to annex translation (No. 11) of an extract from the accounts of Nundoorbar, dated A. D. 1805, in which the villages of Tannah and Koprel are designated " Surinjam from the Sirkar."

9. I beg to append translation of an extract (No. 12) from a list of Surinjams written in the Duftur in A. D. 1812, which runs in the same style as No. 10.

10. It appears that these three villages were resumed between the year A. D. 1813 and 1816, and the late Agent, Mr. Warden, has already submitted to Government translations of the Peshwa's orders for the resumption of two of the villages (Runalé and Koprel), the order for Tannah not being yet forthcoming.

11. From what has been stated above, it will be observed that the three villages, which were at one time granted as Buksheesh and Inam to the family, but were subsequently included in their Surinjam, formed an integral part of the old and extensive Jagheer held by this once powerful family previous to A. D. 1751.

12. On the conquest of the Deccan, the three villages were restored by order of the Commissioner in the Deccan, and subsequently the Inam tenure which the Banday family urged was not recognised, but the villages were continued as Jagheers by the Honorable Mr. Elphinstone's Government in 1827.

13. With reference to the 2nd paragraph of your letter under acknowledgment, I beg respectfully to state, for the information of His Lordship in Council, that when I revised the Surinjam lists prepared by Mr. Warden, I put a

note to the entries of Surinjams of the Kuddum Banday family (Nos. 62 and 63 of Class I.), referring Government to the Appendix B to the Surinjam lists, which contained the whole discussion regarding the fact of resumption of these villages in the Peshwa's time. I therefore trust that Government will consider that no omission of any notice of the resumption in the body of the Surinjam lists has taken place.

14. I beg, in conclusion, to state that while reviewing the papers received from the Poona Duftur, I find that on more than one occasion the Surinjam of the Kuddums was resumed and restored. One of these was when the Bandays joined and supported Raghoba's pretensions to the Peshwaship; but the Surinjam was soon after their submission restored to them, and the resumption which took place in Bajee Rao's time—not many years before the war—may not have been final;—a supposition which is not inconsistent with the politics of the times. The antiquity and high rank of this family, under which, as observed by Mr. Warden, both the Holkars and Gaekwars had their rise, are in themselves sufficient grounds for a favourable consideration of their claims and the application of the Surinjam Rules to them.

I have the honour to be, &c.

(Signed) H. Brown,
Agent.

Agent's Office, Poona, 11th October 1851.

No. 1.] No. 89 of 1851.

To H. Brown, Esq.,
Agent for Sirdars in the Deccan, Poona.

Sir,—In reply to your letter No. 238, of the 8th instant, requesting information regarding the Surinjam of the Kuddum Banday family, in Khandeish, from the earliest period to the conquest, I have the honour to submit the following statement on the subject, premising that the documents specified at page 189 of the Ferisht, to which allusion is made at the end of paragraph 2 of your letter, are those which I have chiefly consulted in tracing the history of this family's Surinjam.

2. The Peshwa's diary of the 27th Zilhej (A. D. 1752) contains the registry of an order issued to the hereditary district officers of the Purgunas of Sooltanpoor and Nundoorbar in Khandeish, which them [s. o.] to continue to Raghojee Kuddum Rao and Trimbuk Rao Kuddum, *half the Mokassa of those two Purgunas, it having been enjoyed by them from former times.* Under the same date, another Sunud is registered, continuing the other *half* of the Mokassa of the Purgunas referred to to Madhow Rao Kuddum, together with their Babtee and Surdeshmookee Umuls. Subsequent accounts in the Duftur show that the two lastnamed Umuls never were *held* by the family, and that they actually enjoyed but *half* of the Mokassa of Purguna Nundoorbar.

3. The conditions of the two grants above referred to were that the Kuddum Bandays should maintain a body of 400 horse for the service of the State.

4. It is, of course, impossible to determine how far the vague expression "Péshjee passoon" of the Murathee original, which I have rendered in paragraph 2 as signifying "from former times," was intended to carry back the term of the enjoyment of the Mokassa Umul of those two Purgunas by the Banday family, but most probably to a period antecedent, at all events, to A. D. 1750; and as I have met with no record in the Duftur to show that they were *not* holding it previous to that year, the opposite conclusion must, I imagine, be taken for granted.

5. In A. D. 1763 the contingent which the Banday family were obliged to furnish was reduced from 400 to 200 horse.

6. In A. D. 1768, in consequence of the non-attendance of the Kuddum Bandays with their contingent, the Surinjam was resumed by the Peshwa, but again restored to them the same year, upon payment of a Nuzur equal to one-third of its revenues.

7. Having been again resumed in A. D. 1778, it was restored to the family upon payment of a Nuzur of Rs. 75,000.

8. In A. D. 1784, also, a Nuzur of Rs. 18,000 was levied from a member of the Kuddum Banday family, for continuing to him his share of the Surinjam, which had been resumed, and also two Inam villages.

9. In A. D. 1814 the entire Surinjam was resumed from the family, and continued in this condition up to the close of the Peshwa's Government. At the same period, also, the three villages of Tannah, Koprel, and Runalé, in Purgunas Sooltanpoor and Nundoorbar, which comprise, as I learn from paragraph 2 of your letter, the present possession of the Banday family, were under resumption.

10. The facts above stated exhibit the principal features in the history of the Kuddum Bandays' Surinjam in Khandeish, from the earliest period for which there are accounts forthcoming in the Duftur relating to it, up to the accession of the British Government. I have deemed it useless in this letter to enter into more minute details regarding it, such as the sub-divisions of the Surinjam amongst the different members of the family, and the occasional transfer of a share from one member of the family to another, in cases of misconduct, as these details can, if necessary, be ascertained by referring to the full extracts from the accounts which accompany this letter; and I am, moreover, under the impression that it is not so much a minute account as a general outline of the history of this Surinjam that you desire to be furnished with by me.

I have the honour to be, &c.

(Signed) M. F. Gordon,

Assistant Inam Commissioner, in charge Poona Duftur.

(True copy)

Poona, 19*th July* 1851. (Signed) H. Brown, Agent.

No. 174 of 1852.

Political Department.

To W. Hart, Esq.,
Inam Commissioner.

Sir,—With reference to your letter No. 3127, dated the 23rd April last, to the address of the Secretary to Government in the Revenue Department, on the subject of the Surinjam of the Kuddum Banday family, I am directed by the Right Honorable the Governor in Council to transmit for your report a letter, in original, from the Agent for Sirdars in the Deccan, No. 349, of the 11th October last, with enclosures, on the subject.

2. You will be pleased, with your report, to return the accompaniments to this letter.

I have the honour to be, &c.
(Signed) A. Malet,
Chief Secretary.

Bombay Castle, 13*th January* 1852.

Report by Lieutenant A. F. Etheridge, *Acting Assistant Inam Commissioner, upon the Correspondence referred, with Government Letters Nos.* 9775 *and* 174, *dated respectively* 4*th December* 1850 *and* 13*th January* 1852, *for the opinion of the Inam Commissioner, in the case of the Kuddum Banday Family.—Dated* 18*th August* 1852.

1. The Kuddum Banday family claim hereditarily the alleged Inam villages of Koprel, Tannah, Runalé, and Torkhera, situated in the Purgunas of Sooltanpoor and Nundoorbar in Khandeish.

2. It does not appear clearly recorded under what tenure these villages were *originally* bestowed on the Kuddum Bandays, or whether all four were, or were not, enjoyed* by them previous to A. D. 1751-52,—the records forthcoming from the Poona Duftur from that year down to the close of the late Government as often allude to their tenures being Inam, as Surinjam; but whether one or the other, or rather both, (as, indeed, would appear to be the case,) it is clear that they were continued as a "reward" for services performed, and to be performed, by different members of the family: but taking into consideration the intermediate resumptions and restorations by the late Government, and the fact of the entire possessions of the Kuddum Bandays having been finally confiscated by the Peshwa a year or two prior to the close of his Government, on the account of *their rebellion*, and having

Letter No. 349, of 11th October 1851, from the Agent for Sirdars to Government, with enclosure from Superintendent Poona Duftur, No. 89, of the 19th July 1851, with translates attached.

* They were not. See paragraph 3 of the Inam Commissioner's report No. 952, dated 21st August 1852.

in this condition passed into the hands of the British, the original tenure, whatever it might have been, and for whatever term, can avail nothing in deciding the present question.

3. On the introduction of the present Government, it would appear that, from the general confiscation of the Kuddum Bandays' possessions, above mentioned, the family were in great distress, and the Political Agent in Khandeish, in representing on the 6th January 1819 their destitution to the Commissioner in the Deccan, stated that although it would rest with him to settle what arrangement was to be made for the future subsistence of the family, he had taken upon himself to restore (13th August 1818), "*for its support in the meantime,*" some Inam villages which he was led to believe one Kadir Bhaldar and some rebel Arabs had forcibly seized from its possession the year previous.

4. The restorations here alluded to are the four villages already mentioned, and to which the Kuddum Bandays now seek to establish an hereditary right, on the following grounds :—

Agent for Sirdars' letter No. 128, of 26th July 1815, to Government.

1*st.*—That they were surrendered by the Collector of Khandeish on 13th August 1818, by an order on the Mamledar to make them over "for ever."

2*nd.*—That these instructions were founded on the orders of the Sole Commissioner for the settlement of the Peshwa's dominions.

Ditto ditto & P. S. of 29th idem, and translates attached to the Superintendent Poona Duftur's letter, No. 89, of 19th July 1851.

5. Referring to the reasons which led to the restoration by the Political Agent in 1818 of these *particular* villages, as stated in paragraph 3, it is clearly shown that so far from their having been forcibly wrested from the Kuddum Bandays by rebel Arabs, they had been confiscated by express orders of the Peshwa, in consequence of *that* family's rebellion.

Ditto ditto paragraph 6.

Ditto ditto paragraph 7.

Tabular statement accompanying Government letter to Khandeish Collector, No. 108, of 17th April 1827.

Mr. Giberne's reply to the above, dated 22nd May 1827, and the Government decision conveyed to the Khandeish Collector, under No. 160, of 21st June 1827.

6. The tenure by which these four villages were to be held by the Kuddum Bandays from the British Government was not settled at the time of the restoration in 1818; indeed, it appears that they were intended merely as a provision for the family "*meantime,*" to avert their *immediate distress;* but when the peculiar circumstances attending their several resumptions by the late Government were brought fully under discussion, the British Government proposed to resume them at once, and was only induced to concede the indulgence of a life-tenure to present incumbents at the earnest solicitation of the Collector of Khandeish, as an act of grace, in recognition of the high rank and antiquity of the family, from which both the Holkars and the Gaekwars had sprung.

7. The final decision of Government having thus been intimated to the Collector of Khandeish on 21st June 1827, no revival of the case appears on record till 1845, when Mr. Bell, warmly advocating the cause of the family for reasons which he explained at length, suggested the restorations should assume an hereditary tenure. Government, however, replied that a "final" decision having been passed upon mature deliberation in 1827, and nothing having since occurred to invalidate that decision, and, moreover, the arguments now adduced by Mr. Bell being most satisfactorily disposed of by Mr. Warden (in his reply to Government No. 128, of 26th July 1845, but more particularly so in the P.S. of 29th idem), to whom they had been submitted for his report on 26th March preceding, no grounds existed for revoking the judgment originally recorded; and that, therefore, the enjoyment of the villages of Koprel, Tannah, and Runalé should not exceed a life-tenure, though the question of the continuance or otherwise of the fourth village, Torkhera, might be reserved for discussion on demise of incumbent.

Letter to Government, No. 138, of 4th March 1845.

Government reply to the above, No. 4024, of 15th August 1845.

8. It would appear that these four villages had not been entered in any of the Deccan lists of Surinjams till 1844, when, on Mr. Warden, the Agent for Sirdars, being directed by Government carefully to frame revised lists for submission to the Honorable Court of Directors, he entered three of them—viz. Koprel, Tannah, and Runalé—under Nos. 64 and 65, remarking that—" This grant is not in the previous lists: there is a record in the Poona Duftur of A. D. 1751 speaking of it, and in A. D. 1754 a division of the Surinjam took place."

29th December 1844.

9. The above lists, however, framed by Mr. Warden, were returned to his successor, Mr. Brown, for revision and amendment, who, in submitting fresh lists to Government, recorded under Nos. 62 and 63 the following additional information against the above entries :—

9th May 1846.

" The names of these Surinjamdars were inadverently omitted in the lists of 1834 and 1840, in consequence of no information having been obtained from the Collector of Khandeish, as has been now done. These persons did not appear when Mr. Elphinstone's list was drawn out, but when he went to Khandeish they presented themselves and the Surinjam was restored. There is a record in the Poona Duftur, bearing date A. D. 1751, which makes mention of this Surinjam. Mr. Warden's report, and the final orders of Government in the case of these Surinjamdars, are contained in Appendix B to this list."

10. There is also inserted in the above lists, in the column under the head of "Tenure," the remark " *Hereditary in the fullest sense of the word,*" which, it must be borne in mind, was the natural consequence, under the instructions of the Honorable Court, of all Surinjams dating as far back as A. D. 1751.

11. These revised lists (which included, at the end, the Appendix B, containing the correspondence on which the Bombay Government had previously rejected the claim to hereditary tenure) were referred to the Honorable Court, and generally approved by them without any remark on, or exception made to these particular holdings of the Kuddum Banday family. And it becomes, therefore, now necessary to inquire whether the tacit acquiescence of the Honorable Court in this particular case would tend to annul the previous decision of the Governor in Council or to show that Appendix B had escaped observation.

Despatch No. 15, of 22nd May 1849.

12. It is remarked by the Inam Commissioner, in paragraph 25 of his *précis*, No. 3127, of 23rd April 1851, that—"It is, however, quite evident that the Honorable Court did not notice the proceedings referred to (Appendix B), or otherwise they would certainly not have abstained from *any* mention of them in their letter No. 15 of 1849."

13. It is, I think, placed beyond doubt that the Honorable Court did not notice Appendix B attached to the Surinjam lists, and, possibly, because the nature of Mr. Brown's remarks, as mentioned in paragraph 9, rendered it unnecessary; the inference from those remarks (as well as from those previously recorded by Mr. Warden) obviously being, that as these grants dated back to A. D. 1751, they came within a class of tenures fixed by the Honorable Court's previous instructions to be "*hereditary in the fullest sense of the word.*" There is nothing in the remarks of Mr. Brown of a nature particularly to direct attention to Appendix B: no allusion is made to any doubtful point; the several resumptions between A. D. 1751 and A. D. 1817-18, as well as the final decision passed by the Governor in Council in 1827, (confirmed, upon a re-agitation and reconsideration of the matter, in 1845,) are in no way referred to, beyond the brief mention of there *being* an Appendix; all which circumstances would have come to the knowledge of the Honorable Court had Appendix B been prominently brought to notice as alone containing information which would enable the Honorable Court to view the question in its proper light, and a perusal of which would certainly, as the Inam Commissioner most justly assumes, have induced *some* remark by the Honorable Court in taking occasion to annul the decision of the Bombay Government deliberately recorded upon two occasions.

14. The following resolution of the Bombay Government, under date 17th June 1851, appears on record:—

"No instructions were ever issued by Government for the insertion of these villages in the revised Surinjam lists of 1844 and 1847, but they were inserted by Mr. Warden in the former of these lists for the reasons explained in the following extract from the letter addressed by Mr. Brown to Mr. Hart, under date 11th April last, paragraph 4:—

"'When Mr. Warden was directed to prepare a Surinjam list agreeably to the instructions of the Honorable the Court of Directors in 1842, he called upon the several Collectors in the Deccan to furnish him with a list

of Surinjams situated in their respective Collectorates; and in the list received from the Collector of Khandeish the names of Koprel, Tannah, and Ru[illegible]alé were shown as Surinjam. On *this* information, and also on the Peshwa's records,—which showed that these villages were a remnant of an ancient and extensive Surinjam held by the Kuddum Banday family previous to 1751,—Mr. Warden entered the villages as hereditary in the Surinjam lists which he submitted to Government on 29th December 1844. Afterwards, when Government entrusted to me the duty of revising the lists originally prepared by Mr. Warden, I put the previous correspondence between that gentleman and Government, in 1845, as an Appendix to the entries Nos. 62 and 63, noticing the same in its proper place.' "

15. It would appear, therefore, that Mr. Warden, in submitting his revised lists on 29th December 1844, did not bring the circumstances recorded in paragraphs from 2 to 7 inclusive of this report to the recollection of Government *at all;** and Mr. Brown merely did so in a brief allusion to an Appendix at the end, the small size of which, however, compared with that of the paper whereon the lists themselves were framed, may very possibly have tended to conceal it from view, especially as the attention of Government was in no way prominently directed thereto. It is not, therefore, unreasonable to suppose that this small Appendix did escape observation, and grounds are, moreover, supplied for this assumption in the Honorable Court's subsequent despatch No. 10, of 4th February 1852, in paragraphs 19 and 20 of which the Honorable Court, in contrasting the relative merits of claims to hereditary tenure between certain branches of the Kuveejung family,† clearly lay down the principle that "*lost possession*" ("*although these villages were given back by our Government*") was fatal to a claim of an hereditary nature, and stated they could "only sanction an hereditary tenure of such portion of the Jagheer as remained *de facto* unresumed"; the remaining portion might be continued, but only for life.

(Signed) A. F. ETHERIDGE,
Acting Assistant Inam Commissioner.

Poona, 18*th August* 1852.

* Mr. Warden had probably forgotten the existence of a decision passed when he was Sub-Secretary, nearly twenty years before, and he had no opportunity of correcting the list after the former circumstances were brought to his recollection by the Government reference of the 23rd March 1845, to which his report No. 128, of the 26th July 1845, is a reply. He would, doubtless, have corrected the list, had he had an opportunity afterwards of so doing. Mr. Brown had the opportunity, and did not rightly avail himself of it.

† This would appear to be a precisely parallel case.

No. 952.

From W. Hart, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Dated Poona, 21st August 1852.

Sir,—I have the honour to reply to your letter No. 174, dated 13th January 1852, the accompaniments of which have been already returned to you with my memorandum No. 802, dated 3rd July 1852.

2. I beg to enclose a report on the case to which your letter above mentioned refers, drawn up by my Acting Assistant Lieutenant Etheridge, the statements in which, except those made in paragraph 2, appear fully borne out by the evidence on record regarding the Kuddum Banday family's holdings.

3. With regard to that 2nd paragraph, I may beg your notice to the fact, admitted by Mr. Brown in his letter No. 349, dated 11th October 1851, and proved by its accompaniments, that previous to and in 1751 it was only half of the Mokassa Umul in the Purgunas of Nundoorbar and Sooltanpoor that the Kuddums held in Surinjam; they could not, therefore, have held the villages Runalé, Kopurlee (Koprel), and Tannah, before or in that year, nor have had any admitted interest in them, except to collect the half of the Mokassa Umul from them in the same manner as from any other villages of the abovenamed Purgunas in which they were situated.

Captain Gordon's letter No. 89, dated 19th July 1851, to the Agent for Sirdars, paragraph 2.

4. According to the accounts now brought forward by the Agent with his letter No. 349 of 1851, the villages above mentioned are shown to have been first granted as follows:—

1, Runalé, in A. D. 1752-53. The whole revenues assigned as "reward" (or *gift*) to Madhowrao and Trimbuk Kuddum, but without guarantee of hereditary tenure. (See accompaniments 3, 4, and 5 of the Agent's report No. 349 of 1851.)

2, Kopurlee, and 3, Tannah.—Assigned to Amrutrao in A. D. 1762; confirmed as hereditary Inam in A. D. 1764-65 to the same person. (See accompaniment 6 of ditto.)

Instead, therefore, of stating that it does not clearly appear whether or not these villages were held before A. D. 1751, Lieutenant Etheridge should have stated that it did clearly appear that they were not authorisedly held previous to that year.

5. The Sunuds, &c. quoted by the Agent (accompaniment 7 of ditto) do not show when Torkhera was first granted; but it was *resumed* from Madhowrao and granted to Amrutrao Kuddum Banday in A. D. 1768, as part of a Surin-

jam in which also the above villages (1, 2, and 3) were this year included, though they were recognised in terms as Inam holdings.

6. It will be seen from the remainder of Lieutenant Etheridge's report, that as all the villages had been confiscated before the introduction of the present Government, the date of their original grant does not much signify. I have, however, considered it right to notice the above facts, as it has been incorrectly asserted that the villages are *part* of a Surinjam older than 1751-52, whereas it is beyond doubt that nothing but part of an Umul upon two Purgunas at large, in which these villages happened to be situated, was held by the Kuddum family up to A. D. 1752-53.

7. I shall now proceed to more particularly notice Mr. Brown's letter No. 349 of 1851, referred to me for my observations with your letter under reply; Mr. Brown's letter is a reply to my report No. 3127, dated 23rd April 1851.

8. With deference to Mr. Brown, I feel it necessary to state that his opinions are so vaguely expressed that I am at a loss to determine *exactly* what they are; but I gather that he intends to argue from his 13th and 14th paragraphs that the entries Nos. 62 and 63 of his revised list of First Class Surinjams are correct and sufficient; that the Kuddum family should have the benefit of the Surinjam Rules extended to them on account of the villages entered in the lists; and that those Surinjam Rules would guarantee their tenure as "hereditary in the fullest sense of the word."

9. The revised list seems to have utterly ignored the existence of Torkhera and its holder, though it is, apparently, of precisely the same degree of title, and part of the same property, as the three villages admitted;—obtained, too, in the same way, since the introduction of the present Government, by a member of the same family. This omission will no doubt cause extra difficulty and confusion in a case already sufficiently confused, when the death of the holder of Torkhera revives the question of its tenure.

10. In my 8th paragraph above I have stated what I believe Mr. Brown intends to argue by his letter No. 349, of the 11th October 1851. I shall now endeavour to explain my opinion as to how far he is borne out in his argument; and first, as to the entries of Nos. 62 and 63 of his revised list of First Class hereditary Surinjams being correct and sufficient:—

I.—The 6th column of this list professes to exhibit "the names of the villages comprising the Surinjam," and under Nos. 62 and 63 this column exhibits the names Runalé, Kopurlee (or Koprel), and Tannah. Column 8 professes to describe the date of the original grant, and this, with regard to the villages named above, is given as *before* A. D. 1751, though it is, as I have observed, admitted by Mr. Brown, in his letter No. 349 of 1851, and proved by records translated by him, that none of these three villages were granted till *after* that year, and then not in lieu of any previous Surinjam.

II.—The 2nd column of the list professes to give the name of the original grantee of each village, and there are five grantees attributed to Runalé

under No. 62, and one to Kopurlee (Koprel) and Tannah under No. 63; whereas the Sunuds and accounts transmitted by Mr. Brown with his letter No. 349 of 1851 show that there were two grantees of Runalé, Madhowrao and Trimbukrao, *neither* of whom are named among the five grantees asserted under No. 62 of the list.

III.—In the 14th column, of "Remarks," Mr. Brown writes as follows under No. 62:—

> "The names of these Surinjamdars were inadvertently omitted in the lists of 1834 and 1840, in consequence of no information having been obtained from the Collector of Khandeish, as has now been done."

This 1st paragraph of Mr. Brown's "remarks" implies two statements,—*1st*, that information had been inadvertently withheld from the Agent; and *2nd*, that if this had not been withheld, the names of the persons mentioned in the revised list would have rightly appeared as those of Surinjamdars in the previous ones of 1834 and 1840. I am obliged to record my opinion that both of these statements, whether direct or implied, are incorrect:—*1st*, Mr. Warden's very clear and sufficient report, No. 128, dated 26th July 1845, shows that there was already in the Commissioner's Duftur which is lodged in the Agent's Office at Poona, and in the Peshwa's Duftur, sufficient information regarding the villages in question to show under what impression they had been given up by Mr. Chaplin; *2nd*, it is clear that the more information that could have been thrown on the matter, the more clearly it would have appeared that Government had already finally decided on the claim of the Kuddum family to the continuance of the villages, and that they should not have been entered in any list of hereditary Surinjams.

The next paragraph in Mr. Brown's remarks is,—

> "These persons did not appear when Mr. Elphinstone's list was drawn up, but when he went to Khandeish they presented themselves, and the Surinjam was restored."

The whole of this paragraph is incorrect. The facts stated in paragraphs 3 to 8 of my former report, No. 3127, dated 23rd April 1851, show that the Kuddums were early applicants, and that their application for a Surinjam was negatived by the Commissioner in A. D. 1819, just as much as by the final orders of Government in A. D. 1827.

The next paragraph of Mr. Brown's remarks is,—

> "There is a record of the Poona Duftur bearing date Esunay Khumsain (A. D. 1751), which makes mention of this Surinjam."

This is both incorrect and insufficient,—incorrect, in leading to the idea that the villages enumerated in column 6 were mentioned as Surinjam in any account so old as A. D. 1751; insufficient, in omitting all mention of their final confiscation, *which*, even had they been so granted, *would, accord-*

ing to the Honorable Court's orders, have precluded them from being regarded as First Class Surinjams.

The closing paragraph of these remarks is as follows :—

"Mr. Warden's report, and the final orders of Government in the case of these Surinjamdars, are contained in Appendix B to this list."

The statement made in this paragraph is literally correct, but it is so expressed as to convey the idea that Mr. Brown *appealed* to the Appendix he mentions, *as if it would be found to bear out the justice of the entry and remarks* above noticed. If Mr. Brown had given the slightest hint that the final decision of Government would be found to be at *variance* with his entry of the villages as an hereditary Surinjam, it might be said that he had brought the case sufficiently to the notice of Government, for in that case Government would have probably considered it necessary to refer to the Appendix; but, as it is, all that any one could naturally understand from the mention by Mr. Brown of the former decision, would be that *it was his authority for the statements made* in the list.

11. On the above grounds, I am obliged to state that I cannot help considering that Mr. Brown has in his letter No. 349 of 1851 adduced nothing to show that the entries of Nos. 62 and 63 of his revised list of First Class Surinjams were either correct or sufficient.

12. It may be said that the admission of these so-called First Class Surinjams into Mr. Brown's revised list was caused by Mr. Warden's oversight, and so it appears to have been, in the first place; for that officer entered as Nos. 64 and 65 of his First Class list of 1844 the same villages, but when his attention was afterwards drawn to their history by the Government letter No. 1370, dated 26th March 1845, he furnished the report No. 128 of 1845, and if he had then, or subsequently, had the opportunity of revising his own list of 1844, he would, doubtless, have corrected this entry.

13. When the duty of revising Mr. Warden's lists was entrusted to Mr. Brown, Government must have intended that he should correct them where they were found to require correction, and not that he should retain the incorrect entries, and merely insert in an inconspicuous Appendix papers which would disprove them, and that without drawing any attention to the Appendix except *as if appealing to it* for the correctness of the list.

14. What renders this the more unaccountable is that Mr. Warden's cases 64 and 65 were specially noticed in paragraphs 13 and 14 of the Government letter, No. 1896, dated 9th May 1846, to Mr. Brown, by which that officer was ordered to revise Mr. Warden's work. Nay, one of the points on which Mr. Brown was particularly directed to furnish information was whether the Surinjam No. 65 (Kopurlee or Koprel, and Tannah) "has *without interruption been in the possession of this family* (Kuddum Banday) from the year 1751."

15. This question Mr. Brown has not answered otherwise than to lead Government inevitably to believe that the continuance had been uninterrupted;

and though he forwarded an Appendix which, if read through, would have shown that there had been interruption and even final *cessation,* he has not only, as above noticed, mentioned this Appendix as bearing out, rather than disproving the idea of continuance, but in paragraphs 12 and 13 of his reply, No. 178, dated 26th October 1847, when specially replying to the reference regarding this case, instead of noting its striking peculiarity, he merely refers to Nos. 62 and 63 of his revised list; and, instead of calling attention to the Appendix, leaves Government to find out what they like from it, nowhere alluding to the Appendix as necessary, but, on the contrary, giving it to be understood that the information *in the tabular statement* is *all* that is necessary to enable Government to decide on the merits of each case.

16. What I here allude to is Mr. Brown's assertion of the sufficiency of the tabular lists themselves, contained in paragraph 3 of his letter to Government, No. 178, dated 26th October 1847, in the following terms:—

> "3. I trust that I have framed these lists in as complete a manner as the records of the Poona Duftur have enabled me to do; and under the head of remarks I have given a succinct account of each Surinjamdar:— ☞ my object in doing so was to enable the Honorable the Governor in Council to observe, at a glance, the right and title of each of these Chieftains, without having to trace through a long letter for this information, &c."

Who, after reading this, would expect to find that the "remarks" and the only "long letter" recorded about this case would be found wholly irreconcilable? And, not expecting this, who would not naturally have been led to consider the information recorded in the list enough, without wading through an Appendix, framed in the most difficult possible manner, to find one's way through? It is evidently thus that Government and the Court of Directors have hitherto been led to assent to the entries Nos. 62 and 63 of Mr. Brown's revised list of First Class hereditary Surinjams.

17. The second argument which, I believe, I rightly ascribe in my 8th paragraph above to Mr. Brown's letter No. 349 of 1851, is that even now, notwithstanding all that Government has been made aware of, the Kuddum family should have the benefit of the Surinjam Rules extended to them. To this I am aware of no objection, provided any Surinjam Rule can be discovered to benefit such a case as theirs. Their holding, whatever it may be called, is a temporary allotment, sanctioned by the indulgence of Government in 1827 as a life-grant; and with no other title, that I can see, than what was then extended to it. I beg to refer on this point to Mr. Warden's report of 1845, and Lieutenant Etheridge's now submitted.

18. The last of Mr. Brown's statements seems to be that the Surinjam Rules would guarantee or admit of their tenure being considered hereditary in the fullest sense of the word. I cannot find a single line of any Rule by which such a confiscation as that which is shown to have taken place with regard to the Kuddum holdings, whether Inam or Surinjam, could be regarded

as otherwise than wholly fatal to any sort of title; and I have no doubt that had Government received a correct and intelligible reply to their question regarding this very family's possessions, (put to Mr. Brown at the close of paragraph 14 of their letter No. 1896 of 1846,) instead of being led to suppose what was not the case, they would have ordered the so-called Surinjam to be expunged from the list, and have refused to alter the decision of Mr. Elphinstone's Government declared in A. D. 1827.

19. I might add much to the above observation, but fear being thought unjustifiably tedious: all, therefore, that I shall further take the liberty of stating is, that though I cannot help considering Mr. Brown to have made some oversights, and probably to have been in some degree misled throughout, either by false statements or suppression of the truth, I have not the very remotest idea of attributing to him any wish to wilfully mislead Government.

20. I am informed that there are some cases connected with the revised Surinjam lists, in which errors and oversights have occurred of even a graver nature than those noticed in the case of the Kuddum Banday family.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

No. 4175 OF 1852.

POLITICAL DEPARTMENT.

To W. HART, Esq.,
Inam Commissioner, Poona.

SIR,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 952, dated the 21st ultimo, submitting your report in respect to the Surinjam of the Kuddum Banday family.

2. In reply, I am desired to convey to you the thanks of Government for the labour you have bestowed in unravelling this somewhat intricate case. His Lordship in Council is convinced by your clear report of the grave error which has been committed in including in the revised list of Sirdars of 1847, under Nos. 62 and 63 of Class I., as hereditary Surinjams, the villages of Runalé, Koprel, and Tannah, of the estimated aggregate value of Rs. 3,315-11-9.

3. The Right Honorable the Governor in Council has resolved that the above entries shall at once be expunged from the Surinjam lists, and desires me to inform you that the question of continuing the villages in question to the present incumbents will be considered and disposed of in the Revenue Department, where the correspondence with reference thereto was conducted previous to their insertion in these lists.

4. I am at the same time desired to request that you will report in detail, in separate letters, at your convenience, upon each of the cases in the revised Surinjam lists, with reference to which you state in your last paragraph that you have been informed errors and oversights of even a graver nature than the one now brought to notice exist.

5. I am also directed to acknowledge the receipt of your report, No. 983, dated the 26th ultimo, and to inform you that the claim relative to the village of Torkhera will be disposed of in the Revenue Department.

I have the honour to be, &c.

(Signed) A. Malet,
Chief Secretary.

Bombay Castle, 24th September 1852.

Extract Paragraphs 19 *and* 20 *from a Despatch from the Honorable the Court of Directors, dated the* 18*th May, No.* 27 *of* 1853.

Result of the inquiries respecting the estates of the Kuddum Banday family, forming Nos. 62 and 63 in Class I. of Mr. Brown's list.

Para. 19. From a comparison of Mr. Hart's reports on this subject with those of Mr. Brown, it would seem that although the four villages claimed by the Kuddum Banday family were known not to have been in their possession previous to 1751, three of these villages were nevertheless, by some construction which we cannot understand, considered to have "formed an integral part"* of a large Surinjam held prior to that date, and were, therefore, inserted in Class I. of the revised lists as hereditary. Since, however, the large Surinjam in question consisted solely of a portion of the Mokassa Umuls of the Purgunas of Nundoorbar and Sooltanpoor, it could not possibly include any villages. The villages in question were not part of this Surinjam, but were granted, one in 1752, the two others in 1762, and then not in commutation of any previous Surinjam. The four villages, moreover, had been confiscated by the Peshwa, on the ground of rebellion, before the breaking out of the war. The family had, therefore, no claim to be again put in possession of them after the conquest. In consideration, however, of their former rank and importance and their distressed circumstances, the villages were restored to them on life-tenure, but the insertion in Class I. was altogether erroneous, and reflects discredit on the manner in which the lists were prepared; nor can we exempt Mr. Brown's most unsatisfactory letter of explanation, dated 11th October 1851, from similar censure.

20. The claims which the family may have to further liberality you propose taking into consideration in the Revenue Department.

* Paragraph 11 of Mr. Brown's letter dated 11th October 1851.

APPENDIX B.

No. 327 of 1852.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, 21st September 1852.

Sir,—I have the honour to submit for your consideration a case in which Government and the Court of Directors have, owing to erroneous information, been led to sanction the hereditary continuance of two Surinjam villages in Khandeish, which had been previously declared a life-holding only, and which, under the Surinjam Rules in force, cannot, as far as I can see, be possibly viewed in any other light.

2. At the introduction of the British Government Moreshwur Dixit Munohur was found in the possession of a Palkee allowance of the estimated value of Rs. 1,000 per mensem,—at least it is most probable that he was so found, as the Commissioner, Mr. Elphinstone, admitted the claim as a life-holding. An extract from Mr. Elphinstone's lists of A. D. 1818 is annexed (A), showing the decision to have been—"To be continued,"—this being the remark entered against life-grants, all hereditary ones being invariably so specified.

3. From 1818 to 1831 the holding remained with Moreshwur Dixit, and in 1834 it was viewed, as by Mr. Elphinstone, as a life-grant, and, as such, was embodied in the Surinjam lists framed in that year, extract from which is annexed (B).

4. From 1834 to 1848 Moreshwur Dixit continued in the possession of the allowance on the above tenure, but in the revised lists prepared by Mr. Brown in the latter year the holding was included as No. 2 in the "List of Surinjams regarding which exceptions to the Rules might be made," and which were recommended for continuance on hereditary tenure.

5. The reasons for recommending the alteration were afforded in the column of "Remarks" of List II., in which Moreshwur Dixit's name was entered as No. 16. The Sunud of Moreshwur Dixit, dated A. D. 1766, was stated in these remarks to be "registered in the Peshwa's Duftur," and it was added—"it specifies that this grant should be considered hereditary."

6. Government do not seem to have been satisfied of the propriety of making an alteration in the tenure by which this and other grants had been previously held, for further explanation was called for, and afforded in a "tabular statement" containing the following explanation of the reasons for recommending the alteration of Moreshwur Dixit's holding from a life to an hereditary grant:—

"The mother of the ancestor of this incumbent was a sister of the mother of Ballajee Bajee Rao, and the wording of the Sunud expressly mentions that this Surinjam should always (नेहिमी) be continued on hereditary tenure, which gives weight to the claim of this individual that his Jagheer should be continued hereditarily."

7. Under the foregoing circumstances, the Court of Directors sanctioned the hereditary continuance of the allowance (indeed, they could not, on the evidence before them, have done otherwise) in the 17th paragraph of their despatch No. 15, dated the 22nd May 1819, as follows:—

"No. 2, Moreshwur Dixit.—In this case the Sunud is of the date of 1766, but is stated to contain (what is rare in such cases) distinct words of inheritance. This Surinjam, therefore, should be hereditary."

8. I have obtained from the Agent copies of the Sunud and documents on which the recommendation quoted in paragraph 6 of this letter was made by Mr. Brown, and I find that they *do not contain even an allusion to hereditary tenure;* that the allowance shown in the lists as a Surinjam is distinctly entered as a "Nemnook" (allowance); and that it is entered not as a mere "Nemnook" (allowance), but as one expressly granted for the expenses of a Palkee to an individual who, at the time of the grant, was in charge of districts, and, as such, considered entitled to a Palanquin.

9. I have obtained the original Sunuds from Moreshwur Dixit; they correspond with the copies received from the Agent, and are duly registered in the Peshwa's diaries. Moreshwur Dixit has other documents in his possession, all of the same nature, and all proving clearly what I have stated in the last paragraph.

10. There can be, I believe, no doubt whatever that a Palanquin allowance never was considered or granted as hereditary, though it was, as in this case, often *re-granted* to sons or descendants for their lifetime, where their circumstances were such as to render such re-grant, in the opinion of the Government, either advisable or necessary. The Court of Directors have fully recognised and laid down this rule in the 48th paragraph of their despatch No. 9, of the 21st January 1852, (copy of which accompanied the Revenue Secretary's letter No. 3501, of the 9th May 1852,) relative to the Palanquin allowance granted to the late Ballajee Punt Nuthoo, and subsequently improperly declared hereditary,

but which the Court have decided must be discontinued at the death of his son, the present incumbent.

11. The copies of Sunuds referred to in paragraph 8 as obtained from the Agent, and which have been found to correspond exactly with the registered originals, state merely that the allowance is to be regularly enjoyed, the words used being " Néhemee ghét jané" (नेहिमी घेत जावे). Government have already had occasion to point out the meaning and force of the word "Néhemee" in the case of a Wurshasun allowance claimed as hereditary, but entitled to no such consideration. (Vide Revenue Secretary's letter No. 7229, of the 7th December 1849.)

12. As connected with this allowance, though not at all affecting its *nature*, I may mention that it is shown by the revised Surinjam lists (No. 16, Class II.) to consist of two villages in Khandeish,—Sherusgaum and Pimpree,—valued in the 8th column of the lists at Rs. 491-5-6; but a reference to the Murathee documents received from the Agent (vide paragraph 8) has shown the Palanquin allowance to consist not only of a *portion* (the lists show the whole villages) of the revenues of these two villages, but of an annual money allowance of Rs. 311-4-0, which Moreshwur Dixit is at present in the receipt of from the treasury of the Collector of Khandeish.

I have the honour to be, &c.
(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

A.

Extract from the Statement showing the Jagheers, or Compensation in lieu of them, to be continued in the Country conquered from the Peshwa; prepared by Mr. Elphinstone.

Number.	Name.	Class.	Remarks.	Decision.	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.	Estimated real Value at present.	Pecuniary Pension.	For what Period recommended.
					Rs.	Rs. a. p.	Rs.	
	Mor Dixit Munohur; Rs. 1,000; 51 years.	Kitta.	..	To be continued.	1,000	492 4 0	..	..

(True extract)
(Signed) R. Keays,
Acting Agent.

(True copy)
(Signed) T. A. Cowper, Capt.,
Assistant Inam Commissioner.

B.

Extract from the List of Surinjams granted between the Conclusion of the Treaty of Bassein and the Accession of the British Government into the Deccan, to be resumed on the death of the Present Incumbent; prepared in 1834.

Number.	Name of the Present Incumbent.	Date of Original Grant.	Estimated real Value.	Reasons for making the Grant, as recorded by the Sole Commissioner in the Deccan.	Remarks.
	Kitta, or Miscellaneous.	A. D.	Rs. a. p.		
62	Moreshwur Dixit Munohur.	1766	593 1 0	To be continued	....

(True extract)
(Signed) R. KEAYS,
Acting Agent.

(True copy)
(Signed) T. A. COWPER, Capt.,
Assistant Inam Commissioner.

No. 1105.

From W. HART, Esq.,
Inam Commissioner,

To A. MALET, Esq.,
Chief Secretary to Government, Bombay.

Dated Poona, 22nd September 1852.

SIR,—I have the honour to submit for the consideration of Government a letter from my Assistant Captain Cowper, No. 327, dated 21st September 1852, containing information of a very startling nature.

2. Government are, as stated by Captain Cowper in his 11th paragraph, well aware that the word "*Néhemee*" conveys no meaning of continuance in perpetuity or of hereditary tenure, but it was certainly not by any carelessness on the part of Government, or by *their* losing sight of the real meaning of that word, that the grave error detected by Captain Cowper was suffered (notwithstanding the doubts and hesitation evinced by both Government and the Honorable Court) to transmute Moreshwur Dixit's Palanquin allowance into an hereditary Surinjam. Had the Agent, in stating the grounds for his assertion that

the grant was by Sunud specifically guaranteed as hereditary, *so* stated them as to let it be understood that he was misinterpreting the word "Néhemee" into bearing this meaning, then Government would have been in a position to detect his error; but no such chance was afforded to Government. A reference to Captain Cowper's 5th and 6th paragraphs shows that the Agent in one place asserted as a positive fact that the Sunud for the allowance "*specifies* that the grant should be considered *hereditary*," and that although in another the word "Néhemee" is quoted by the Agent, it is quoted so that Government could only imagine that it was put in apposition with the word "always," (which it does explain fairly enough in the usual acceptation of "always," *i. e.* as meaning "*ever*," but not "for ever,") and not with the sentence which follows it. As Mr. Brown's explanation stands quoted in paragraph 6 of the accompanying letter, it can only be understood to assert that the Sunud expressly mentions *not only* that the allowance should always ("Néhemee") be continued, but, *further*, that it provided for its continuance being *hereditary*. It was evidently this latter assertion *alone* that settled the objections of Government, and precluded all hesitation on the part of the Honorable Court further than a natural expression of wonder at the anomaly of the case; yet it now turns out to be an assertion disproved by the Sunud on which it appears to have been based.

3. The facts mentioned in Captain Cowper's 12th paragraph do not, it is true, affect the *real* nature of the allowance as it *ought* to have been described, but they seem very seriously to impugn its character as a permanent Surinjam (even were there nothing else to do so), by showing that what is so called consists of mere assignments of revenue and a cash payment from the treasury, void of even the *primâ facie* permanency of a landed estate; and whether or not they may be taken as affecting the character of the *allowance*, they do grievously affect that of the revised Surinjam lists.

4. As it cannot for a moment be supposed that Mr. Brown could have had the remotest intention of misleading Government in this case, I cannot help supposing that he must have been misled by the reader or other person of whose assistance he may have availed himself in drawing up his English reports and statements from the Murathee papers in his office; and if that person was one necessarily acquainted with the Murathee language, he must have intentionally misled Mr. Brown, and thus effected a fraud of the nature anticipated by Government in paragraph 30 of their letter to the Agent, No. 1896, of the 9th May 1846, as quoted below:—

> "Re-opening the question of the character of these grants presents an opportunity for the commission of fraud and deception which the greatest caution and vigilance on your part alone can prevent."

5. As my Assistant's statement of all the facts essentially important in the case of the allowance noticed by him in the accompanying letter is so full that any remarks upon it will probably appear superfluous, I shall only state, in addition, my humble opinion that Captain Cowper has done Government good service in calling attention to this and other cases of a similarly lamentable nature connected with the revised Surinjam lists.

I have the honour to be, &c.

(Signed) W. HART,

Inam Commissioner.

No. 4401 OF 1852.

POLITICAL DEPARTMENT.

To JOHN WARDEN, Esq.,

Late Agent for Sirdars in the Deccan, Bombay.

SIR,—I am directed by the Right Honorable the Governor in Council to transmit to you, in original, a letter and its enclosures from Mr. Hart, the Inam Commissioner, No. 1105, dated the 22nd ultimo, bringing to the notice of Government the circumstance of the Surinjam of Moreshwur Dixit Munohur, which was held on life-tenure only, having through erroneous information been declared an hereditary grant.

2. In forwarding these documents, which you will have the goodness to return with your reply, I am desired to annex thereto a *précis* of the past proceedings of Government on the subject of this grant, and to request that you will favour Government with any explanation which may be in your power to afford as to the cause of the mistake that has occurred.

I have the honour to be, &c.

(Signed) A. MALET,

Chief Secretary to Government.

Bombay Castle, 9th October 1852.

To A. MALET, Esq.,

Chief Secretary to Government, Bombay.

SIR,—I have had the honour to receive your letter, No. 4401, dated the 9th of October last, giving cover to an original letter, with enclosures, herewith returned, from the Inam Commissioner, suggesting that the Surinjam of Moreshwur Dixit Munohur, which was held on life-tenure only, has through erroneous information been declared an hereditary grant; and to a *précis* of the proceedings of the Government on the subject of this grant; and desiring me to furnish the Government with

any explanation which it may be in my power to afford as to the cause of what is supposed to be a mistake.

2. The turn this subject has taken obliges me to state, by way of preface, some elementary matter, in respect to the nature of the alienations of land in the Deccan, for which I should otherwise have to apologise.

3. An *Inam* was originally a grant from the rich to the poor for his maintenance; and in some title-deeds language seems to exhaust itself in declaring the plenary nature of the grant to the grantee and "his heirs, male and female, for ever." So absolute was the gift that the opinion which the Commissioner in the Deccan considered "a sound one" (Commissioner to Government, May 19th, 1825) as to the practice of the Peshwa's Government in respect to Inams was, that "the holders could dispose of them by will, in sale, or in any other way they chose; and that therefore there was no good reason for obliging them to resort to any other mode [alluding to adoption] of disposing of them not congenial with their inclinations.'

4. A *Surinjam* was of two kinds,—one, called a Fouj Surinjam, was a grant of land from the Sovereign to a noble, to enable him to support a contingent of troops, with which he was bound to take the field with his lord paramount; the other, called a Zât Surinjam, was a distinct grant to the same noble, to maintain due state and dignity as a feudal Chieftain. Both grants were personal, and "held on life-tenure only."

5. While, then, an Inam was a gift to the poor for his maintenance, a Surinjam was an assignment to the noble for his dignity; while the Inam was a gift "for ever," the Surinjam was an assignment resumable at pleasure, and never for a longer period than the life of the grantee: while the title of an Inamdar was upheld by his title-deeds, the only title of a Surinjamdar was the favour of his sovereign; and it is, therefore, as great a misapplication of terms to talk of an *hereditary Surinjamdar* as it is to talk of an *hereditary pension*.

6. The Most Noble the Marquis of Hastings, the Governor General of those days, ordered, on the conquest of the Peshwa's dominions, that the Maratha principles and practice in this respect should be followed, and that every Surinjam should be resumed at the death of each grantee, and be re-granted as "an act of grace" (I quote from memory).

7. The British military system rendering the Fouj Surinjams an expensive and useless burden, they were, with the exception of those of the Putwurdhun family, whose position was peculiar, permanently resumed, and Mr. Elphinstone had then to address himself to the consideration of the question as to the disposal of the Zât or personal Surinjams, by which the state of all the noble families in the country was mainly supported.

8. Without, in the first instance, announcing the principles by

which he was governed, Mr. Elphinstone proceeded to re-grant the Zât or personal Surinjams. Some he marked "Hereditary"; some "May be diminished at his death"; some, as in the instance of Dixit Munohur now under discussion, he left unmarked*; and some he marked "For life."

9. But an Inam and a Surinjam being, as I have shown, quite different things, it follows that the title to an Inam and the claim to a Surinjam were decided on quite different considerations.

10. While an inquiry into the title to an Inam was whether the original title-deed was genuine, whether the grant had descended in unbroken succession, or the claimant was the representative of the original grantee; the inquiry in regard to a Surinjam was whether it had been—*however possession may have been in the interval disturbed*—first granted by the dynasty which the British Government succeeded, or whether a stronger prescriptive title had been established by the ability to trace the original grant to the Rajas of Sattara or the Mahomedan rulers of the Deccan.

11. While the latter were to be considered "hereditary in the fullest sense of the word," (see letter of the Court of Directors to the Government of Bombay, October 26th, 1842,) "much consideration," Mr. Elphinstone said, "was due" to the former, not because the grantees could prove a title from the Duftur, but because, though "kept in mind, by the exaction of service, as well as by *occasional resumptions*, of the real nature and extent of their tenure," they were *the "actual possessors of power"*; and because it was "desirable to avoid popular discontent, and prevent the too rapid fall of great families."

12. The grant of a Surinjam, in short, might have been resumed again and again, and re-granted again and again, in disregard of the ordinary laws of succession, and all title by the Duftur obliterated: the result of the inquiry was not based on a title by inheritance, but on possession and position at the conquest, and other considerations of State polity *which no one at the present day can, as they affected individuals, accurately estimate.*

13. And these rules, liberal as they were, he made susceptible of exceptions in favour of individuals.

14. For example,—Anna Deodhur's niece was given in marriage to the last Peshwa, who bestowed a Surinjam on his bride's uncle. The holders of land granted by the last Peshwa Mr. Elphinstone considered

* The Assistant Inam Commissioner is mistaken in supposing unmarked ones were grants "for life" only, as is proved by this very instance of Dixit Munohur; according to the principles which Mr. Elphinstone afterwards enunciated, it was a grant for two lives: the mass of business in the Commissioner's Office during the first year after the conquest of the Deccan obliged us to leave many questions open.

entitled to pecuniary pensions only, but the Surinjam of this Sirdar, whose family had been honoured by an alliance with the reigning house, was reserved to him. (See letter from the Agent for Sirdars to Government, December 29th, 1844.)

15. To apply the foregoing remarks to the case which has caused this reference.

16. Mr. Elphinstone found a grant of a miscellaneous character,—"*Kitta*," as he termed it,—which had been granted fifty-one years before the British conquest, the original grantee having been, through his mother, allied to the reigning Peshwa. He was also a *Beckshookh*, and, as such, held in veneration. The grant was renewed, though not in exact conformity to the laws of inheritance, to two subsequent generations, and having survived the tempestuous factions of the three last reigns of the Peshwas, was re-granted by Mr. Elphinstone, in the exercise of the discretion with which he was vested, on the *Surinjamee tenure*. (See his lists and Chor Chittee.)

17. According to the Rules, this Surinjam fell in Class II., and in Class II. I placed it.

18. I found, however, that the original grant had been made with an emphasis most unusual, and that this emphasis, declaring that the grant was to be "always" enjoyed, was expressly repeated on the first re-grant, and by implication in the last, the third grant stating that the payment was to be made as heretofore.

19. It was clear that there must have been some object in the introduction and repetition of this word, so foreign to a Sunud for a grant on life-tenure, which was quite complete without any such word; and I sought for this object, not in dictionary interpretations (viz. "constantly," "regularly"), though they support what I did, but in the course followed by the sovereigns who in succession dealt with the grant in which the word was found. Although called a Palanquin allowance, it was re-granted twice, and after an interval of fifty-one years was found in the possession of the third grantee, on the abdication of Bajee Rao. I, therefore, concluded that the Peshwas intended to indicate by this word that this Surinjam would not be disturbed, but would be, as it always had been, re-granted on the death of each grantee, or, to use my own words on the occasion, that it was "declared to be permanent" in consequence of the sacred character of the original grantee, and his alliance with the reigning house.

20. Acting, then, on this conclusion, and following the example of Mr. Elphinstone in respect to Anna Deodhur, (see paragraph 14, above,) while I entered the grant in its proper place according to the Rules, I added it to a list of five others, as cases contemplated in the 12th paragraph of the Court's despatch, in which the popularity of the act appeared

to furnish an adequate inducement to prolong, in exception to Rules, the tenure. I am still of the same opinion. A mother's sister is a relation particularly respected among the Hindoos, and I feel satisfied that so long as the family of Bajee Rao had reigned, this allowance would have been undisturbed, and re-granted again and again as "an act of grace."

21. A very few words will explain how it befell that the grant was made a life-grant by the lists of A. D. 1833, the preparation of which was suggested by me, and they were actually prepared by me, as I believe Mr. Marriott told the Government, though signed by him. The indiscriminate resumption of all Surinjams having been ordered by the Bombay Government, I proposed to postpone the resumption of "the *larger* estates, the abrupt escheat of which would have been more extensively felt, and have made a deeper impression on the public mind than the resumption of *smaller* though more ancient ones," among which latter was Munohur Dixit's. The indiscriminate resumption that was ordered (Government to the Agent for Sirdars, August 2nd, 1832, and his reply, December 29th, 1844) having been disapproved by the Court of Directors, and a totally different settlement made, the lists of A. D. 1833 are no authority whatever as to the continuance or otherwise of grants.

22. Although I remained more than a year in India after the completion of my inquiries, I heard nothing from Government on the subject of the Surinjam inquiry; but two months after my departure for England, my successor, Mr. Brown, was asked for further information as to this grant, when he said that the "Sunud expressly mentions that this Surinjam should always be continued on hereditary tenure, which gives weight to the claim of this individual that his Jagheer should be considered hereditary."

23. At the same time that Mr. Brown recorded this, he endeavoured to guard himself against being misapprehended, by introducing the original Murathee word in the original Murathee character, which he translated "always."

24. I presume that as the Government interpreted this word in the case of a Wurshasun mentioned by the Inam Commissioner, so it did in this case; but whether it did or not, nobody knows better than Sir George Clerk,—nobody knows better than the authorities at the India House, who revised those lists,—that let Mr. Brown have called it what he might, "hereditary," in the ordinary sense of the term, could not be applied to a Surinjam, and that Mr. Brown could only mean what Mr. Elphinstone meant, when he spoke of "*the belief* that the holders were entitled *of right* to an '*hereditary* tenure.'"

25. That the "reader" was so silly as to attempt an imposition in respect to so common a word I do not believe, and when I mention

that he was Vidyadhur Purushram, who was introduced by me into the Agent's Office (to the head of which he has since risen) on the warm recommendation of Mr. Hart, for active co-operation in detecting fraud in the Stamp Department, he will, I think, agree with me that it was in the last degree improbable that he would have been so dishonest as to endeavour to make Mr. Brown believe that the common word "*always*" had any cabalistic meaning in this case. Mr. Hart thinks, however, that the construction of Mr. Brown's sentence in which "always" is introduced is calculated to mislead, by impressing the reader with a belief that the Sunud contained, in addition to the word "*Néhemee*," other words conveying an hereditary grant, and that the Court of Directors were so misled. The Court of Directors will, at all events, have an opportunity of re-considering their decision in connection with the discussion that has now been had in this case.

26. It is, as it appears to me, quite immaterial whether, as suggested by Captain Cowper, a Palanquin allowance was ever granted hereditarily or not. He admits that it was "often re-granted to sons or descendants for their lifetime, when their circumstances were such as to render such re-grants either desirable or necessary." This is all that was contended for by me, and, as I believe, by Mr. Brown also; and, in the words I have quoted, Captain Cowper exactly describes the condition of a Surinjam. Further,—Mr. Elphinstone's inquiries led him to the conclusion that the prince, whose submission he had just received, considered it a Surinjam,—he at all events granted it on the Surinjamee tenure; and without violation of the public faith it cannot now be called anything else, it being quite immaterial whether such grants is [s. o.] paid wholly by the produce of land, or partly from land and partly in cash.

27. Then, Captain Cowper compares this grant to a Palanquin allowance given by Mr. Elphinstone to Ballajee Punt Nuthoo. Why, he was not a Maratha Sirdar at all, but a Karkoon of Rastia, whom we dignified by the title of "British Adherent,"—a counterfeit, who, incapable of imitating the genuine lustre of a Sirdar, sought to dazzle by whatever a Sirdar had of gain! That he was a very sagacious man I do not deny; that his services to the British Government deserved, from their very nature, high reward, I readily admit; but looking to the different motives which actuated the parties in the two cases, I should no more think of comparing anything he got from us to the Surinjam of Dixit Munohur than I should think of comparing a present given by Lord Nelson to a French fisherman, for telling him which way the French fleet had sailed, to a grant by Parliament to a member of the royal family in the sixth year of the reign of George III., and which was re-granted in the three succeeding reigns and is in possession at the present hour.

28. Captain Cowper has done his duty in bringing forward what he believed a fraud, but he will, on consideration, see that all the motives which influenced Mr. Elphinstone's decisions were not reflected by the Duftur. "Government," as he wrote to Lord Hastings on May 11th, 1820, "will be at liberty to exercise its discretion in granting or withholding the renewal, except in cases of Padshaee grants"; in which the Governor General expressed his concurrence on the 17th June 1820. Mr. Elphinstone, in exercising this discretion, had not only the Duftur entire before it had been scattered over the country,—he not only saw all that Captain Cowper has seen,—but he had, what Captain Cowper cannot have, the hereditary Duftur Karkoons to aid him, and a knowledge of the exact estimation in which each claimant was held at the moment of the conquest,—many considerations, besides a record of rights, having formed the elements of the basis of his decisions as to the extent of liberality to be extended to individuals.

29. The very case before us presents a striking example of this. Suppose that, instead of the Sunud the meaning of which is now under discussion, I had found a Sunud dated only fifteen years earlier, and expressly declaring that the grant was "for life";—suppose, in short, there had been no title at all by the Duftur,—I should, nevertheless, have declared it "hereditary in the fullest sense of the word."

30. Although the Government did not allow me the opportunity of giving the last touches to the laborious work undertaken by me at my own suggestion, and I am, therefore, not responsible for Mr. Brown's "revised lists," I am still willing to do my best in explaining "the other cases of a similarly lamentable nature connected with the revised Surinjam lists" which Captain Cowper is said to have brought forward; though, I observe, on glancing over the lists, that in working out Mr. Elphinstone's Rules, we adopted, as regards the first and most important class, his decisions in fifty out of the sixty-one cases which it contains, and as regards the remaining eleven, Mr. Elphinstone left five open questions, three are Surinjams which he said might be diminished at the first lapse, and two which he made life-grants. Of the twenty-seven cases of which Class II. is composed, he made eleven hereditary, ten he left open questions, six he made life-grants. As a set-off against having gone beyond Mr. Elphinstone in liberality in respect to these eight life-grants, I find that, as regards Class III., of the forty cases of which it is composed, the whole of which we reduced to life-grants, there are as many as twenty-four which Mr. Elphinstone either considered hereditary or left their decision open. That he acted advisedly, and on sound considerations, in each case, though we can no longer discover them, I have not the smallest doubt; in illustration of which let us take two cases in respect to which he could not have been mistaken, and both

of which he decided contrary to his own Rules. The rise of the family of Poorundhuree was coeval with that of the first Peshwa, whose personal friend the founder of the family's greatness was. Of this Surinjamdar Mr. Elphinstone says,—"The head of the great house of Poorundhuree; came in to Sir John Malcolm;—*hereditary*." Again, of the Vinchoorkur, while Mr. Elphinstone declares his Surinjam to be of only fifty-eight years' continuance, he adds—"The whole of his personal lands, according to the Duftur, to be restored: this is proper, in consequence of the respectability of the Chief, and of the promises of Sir John Malcolm;—*hereditary*."

31. With such evidence as this that Mr. Elphinstone's decisions were founded on other considerations than those arising from information derived from the Duftur, though only formally recorded, perhaps, in respect to the greater Sirdars,—and as I presume no one will venture at this time, or at any other time, to place his opinion in competition with that of Mr. Elphinstone,—instead of making that information the grounds of disturbing claims which have been already inquired into six times, to the harassing of the claimants for no less than twenty years, I hope the Government and the Court of Directors will forbid any one to question his decisions in favour of individuals, when ratified by the early revisers of his lists, merely because we can no longer discover the motives which actuated him to restore grants, the claimants to which, as he admits, had been "kept in mind, by the exaction of service, as well as by occasional resumptions, of the real nature and extent of their tenure."

32. For the rest,—there are a few Surinjams which were not on our lists in the Commissioner's Office, and some twenty cases, as mentioned in paragraph 30, in respect to which, in working out the Rules, I was unable to be so liberal as Mr. Elphinstone suggested, and regarding which, as I said at the close of my report, "I could not hope that my statements were free from error, and that they must remain open to correction"; and if Captain Cowper would address himself to the task of discovering the political considerations which prompted Mr. Elphinstone in his mode of dealing with those twenty cases, and thereon propose a return to the original liberal decisions, he will do good service to the public.

33. It is, I know, believed by some that Mr. Elphinstone worked in the dark, and that they have discovered that which escaped him: it is said he did not know that many of the Inamdars, whose possessions he did not disturb, could not prove a title.

34. There never was a greater mistake. If we would tread in his foot-prints without losing our balance, we must read his Minutes. In one published by order of the House of Commons, he proposes,

as a part of the ways and means by which to support public education, that we should impose a cess on Inamdars whose titles were doubtful. The truth is, that to an acuteness and penetration of intellect which nothing can elude, and to a knowledge of India, its history, and its people, and of the Murathas in particular, in which he is surpassed by no man living, he added untiring official industry, and, more valuable than all to a man in his position, a due respect for that best of all titles—prescription—and a magnanimous compassion for the conquered people at his feet.

I have the honour to be, &c.

(Signed) John Warden,
Formerly Agent for Sirdars, and First Assistant to the
Commissioner in the Deccan.

Bombay, 9th December 1852.

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(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 163 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, 2nd May 1853.

Sir,—I have now the honour, as desired in your letter No. 1735, of the 23rd February last, to afford a detailed history of the Palkee Surinjam allowance of Moreshwur Dixit Munohur, entered in the revised lists as No. 16 of Class II. and No. 2 of Class VII., and to explain the principles upon which I understand that Government expect me to scrutinise the revised Surinjam lists, (ordered in the Chief Secretary's letter No. 4175, of the 24th December 1852,) pointing out at the same time in how far those principles are affected by the facts and opinions recorded by Mr. Warden in his letter of the 9th December last to the address of the Chief Secretary to Government.

2. I purpose, in the first instance, to take up *seriatim*, and in the order in which Mr. Warden has recorded them, the opinions and arguments contained in that gentleman's letter, every portion of which I find so intimately connected with the remainder as to render it impossible that any report can be complete, or can afford the desired information, which does not embrace the whole subject upon which Mr. Warden has entered, and which seems to me one of great importance, demanding the fullest discussion in all its bearings.

3. It is unquestionably of no small consequence, in disposing of claims to alienations of public revenue, to arrive at the real intentions of the original granter, and at a correct interpretation of the original deed of grant; but, as a general rule, and especially where such grants are of great antiquity and where the system in which they originated is still more ancient, it becomes obviously necessary to take into consideration the history of the subsequent actual enjoyment of the grant and the extent to which additional right may have been acquired or original right modified by such enjoyment; for experience shows that to follow only the *littera scripta* in all such cases would be to inflict much hardship and injustice in some, inasmuch as it would frequently tend utterly to subvert the state of things which our Government, at the conquest of this country, undertook to uphold.

4. To no description of alienation do these remarks apply more strongly than to grants in *Inam*, "in some title-deeds" for which (as Mr. Warden has pointed out in paragraph 3 of his letter) "language seems to exhaust itself in declaring the plenary nature of the grant";

and yet nothing can be further from the fact than to suppose that such grants were in practice irrevocable; for the State records afford conclusive evidence that during the greater portion of the last century, and especially after the usurpation of sovereign power by the Peshwas, no title-deeds were sufficient to ensure the security of any possession, whether Inam or otherwise.

5. Under the Peshwas' Government, and indeed long before that period, it was the invariable practice, when making grants either of land or money, to issue "Sunuds" or written documents specifying the nature and extent of the grant, the name of the grantee, and, generally, the object with which the grant was made. These Sunuds* were always regularly entered, either at the time of issue or very shortly afterwards, in the State diaries (Rozkhirds), from which they were subsequently transcribed and classified in ledgers,† severally denominated the "Ghurnea," "Bhera," and "Surinjam Khutawnee." The Ghurnea ledger contained, besides a classification of the entries in the diaries, abstracts of all accounts of revenue management rendered to the Government. The preparation of these ledgers was unfortunately completely neglected during the reign of the last Peshwa, Bajee Rao Rugoonath, but this was not the case with the diaries, which continued to be prepared as usual, and which are extant up to nearly the close of the Peshwa's Government. The first Peshwa was appointed in A. D. 1714, from which year to 1730 the diaries are more or less imperfect; from 1730 to 1756 they are almost complete; from 1756 to 1763 but very few are forthcoming, and it is supposed that they were destroyed in the latter year by the Moguls; while from 1763 to the beginning of 1817 they are again to be found in a nearly perfect state.

6. The system of record and accounts under the Peshwas' Government was a very perfect one,—one of the most perfect, probably, ever devised; but to be fully understood, the documents themselves must be seen and studied. The outline‡ given in the last paragraph will, however, I hope, convey some idea of the great value of the information afforded by these State records; for it is *on their authority* that I venture to believe alienations of revenue generally, and Inams particularly, to have been one thing in theory, while they were quite another in practice.

7. I have framed and annexed to this letter the undermentioned four statements, containing a number of selected cases illustrative of the

* The resumption of these grants, or their continuance to other parties on the death of the holder, or, in short, all alterations whatever, were, under the Peshwas, authorised by Sunuds, and the Sunuds were recorded in exactly the same manner.

† The ledgers were not kept before the time of the Peshwas.

‡ The 95th, 96th, 97th, and 98th paragraphs of this letter afford some further description of these accounts.

system which was in force during the last seventy years of the Peshwas' Government:—

Statement A, of Inams resumed by the Peshwas' Government.
Ditto B, of ditto continued to direct and collateral heirs under the authority of do. do.
Ditto C, of ditto ditto to adopted sons under do. do.
Ditto D, of ditto transferred by gift or sale under do. do.

These cases form but a small fraction of those on record, but they will suffice, I apprehend, to prove that the Commissioner in the Deccan (Mr. Chaplin), whose opinion Mr. Warden has quoted in the 3rd paragraph of his letter, was in error when he stated that "the practice of the Peshwas' Government in respect to Inams was that the holders could dispose of them by will, in sale, or in any other way they chose. "It seems to me clear that without the sanction of Government *even a son could not hold his father's Inam*, and that without such sanction any transfer of an Inam became null and void. It appears equally certain that the Peshwas' Government not only possessed the power of resuming Inams, but that the power was freely exercised; and it is further shown that Inamdars were not exempted from the payment of cesses, but that they contributed largely in this respect. In short, it is placed, I think, beyond a doubt that an Inam, though granted as a free gift in perpetuity, was resumed or continued, and was taxed at pleasure.

8. The power of resumption seems to have been arbitrarily exercised; but this is not surprising, for it could scarcely have been otherwise where the will of the sovereign had the force of law, and indeed *was* the law. Whatever may have been *the theory,—in practice*, Inams seem to have been interfered with in every possible way; and it will be seen* that on an Inamdar's death even his son could not consider his holding secure without obtaining the special sanction of Government to the succession. It will be observed,† also, that political offences were punished by resuming the Inams of the offender, and that the punishment due to the actual delinquent was sometimes‡ *even inflicted on his relatives*. When it is remembered that the Muratha rule was one succession of usurpations, conquests, and intrigues for sovereign power, an estimate may be formed of the number of persons who suffered on this account.

9. The documentary evidence thus obtainable being of such unquestionable authenticity, can scarcely be strengthened by individual testi-

* No. 24 of Statement A, and Nos. 1, 4, 5, 6, 7, 9, 10, 11, 12, 13, 15, 16, 17, 20, 21, 23, and 24 of Statement B.

† Nos. 4, 5, 6, and 22 of Statement A

‡ Nos. 9 and 14 of Statement A.

mony. The value, however, which attaches to any deliberately recorded opinion of Sir T. Munro is such that I should leave this portion of the subject incomplete were I to omit to make the following quotation from a Minute of his, dated the 16th January 1823, and *written after* he had effected the reduction and settlement of the *Southern Muratha Country*, now forming a portion of the Bombay Presidency, and that portion, too, in which more alienated land is claimed than anywhere else. Sir Thomas Munro thus expressed himself:—

"In this country, under the Native Governments, all grants whatever are resumable at pleasure; official grants are permanent while the office continues, but not always in the same family; grants for religious and charitable purposes, to individuals or bodies of men, though often granted for ever, or while the sun and moon endure, were frequently resumed at short intervals; grants of Jagheers or Inam lands, from favour or affection, or as rewards for services, were scarcely ever perpetual. It was rare that any term was specified, and never one or more lives; but it made usually little difference whether the grant was for no particular period or perpetual,—the (Altumgha) perpetual grant was as liable to resumption as any common grant containing no specification of time;—it was resumed because it was too large, or because the reigning sovereign disliked the adherents of his predecessors and wished to reward his own at their expense, and for various other causes. There was no rule for the continuance of grants but his pleasure; they might be resumed in two or three years, or they might be continued during two, three, or more lives; but when they escaped so long, it was never without a revision and renewal. I believe that the term of their lives is a longer period than grants for services were generally permitted by the Native princes to run."

10. Statement D, of Inams transferred by gift or sale under the authority of the Peshwas' Government, contains a number of instances, sufficient, I think, to prove that these transfers were valid only when sanctioned by the Government. It is shown that this sanction was sometimes* conditional on the payment of a relief or "Nuzur." How very fully the Government exercised the power of control can scarcely be doubted when we find that it extended to the transfer of a small portion of Inam land by Nana Furnavese† when in the height of his power, and when we see that a powerful feudatory like the Vinchoorkur‡ was subjected to the same restriction.

11. The inquiries which I have made to enable me to prepare this

* No. 10 of Statement D.

† Nos. 14 and 16 of Statement D.

report have placed me in possession of valuable information elucidatory of the practice which existed under the Peshwas' Government in regard to adoptions by Inamdars. Statement C contains fifteen instances in which adoptions were sanctioned. In some* of these cases the adoptive father had held a Surinjam as well as Inams, and both were continued on the payment of a relief (Nuzur), in others† the succession was to Inams only, and even here it will be seen that Nuzurs were sometimes‡ levied.

12. The above evidence seems tolerably conclusive, but there is yet stronger proof forthcoming. I would solicit a reference to the instances, specified as No. 19 of Statement A and No. 4 of Statement C, *in which adoptions were disallowed and Inams resumed, on the specifically recorded grounds of such adoptions not having been made with the sanction of the Peshwas' Government.*

13. Under these circumstances there cannot, I apprehend, longer remain room for doubting the correctness of the opinion on this subject laid down by the Government in the Revenue Secretary's letter No. 6023, of the 14th September last, and which has been submitted for the final orders of the Honorable Court of Directors : it is, I think, clear, that in reserving to themselves the power of granting or refusing such assent to adoptions on the part of Inamdars and others holding liens on the public revenue as will confer upon the adopted son a title against the State, Government merely exercise a prerogative which the Peshwas never for a moment relinquished.

14. That with the information which is now forthcoming—only a small portion of which (see paragraph 7 of this letter) I have thought it necessary to embody in the several statements appended to this letter—before him, the Commissioner (Mr. Chaplin) would have ever informed the Government that "the practice of the Peshwas' Government in respect to Inams was that the holders could dispose of them by will, in sale, or in any other way they chose," is, I conceive, out of the question ; and I presume, therefore, that the knowledge must have been withheld from him by the hereditary Duftur Karkoons, most of whom must have been more or less acquainted with the previous practice, and many of whom must have been able to refer to the recorded proof which was at hand, had they thought proper to do so. To one of these hereditary Karkoons I shall by and bye have occasion again to refer (see paragraph 99 of this letter), and I would only here further remark, that what has apparently occurred seems to point out the necessity of extreme caution in matters of this description.

* Nos. 8, 12, and 15 of Statement C.

† Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 13, and 14 of Statement C.

‡ Nos. 1, 2, 6, 9, and 11 of Statement C.

15. It certainly seems to me that *bonâ fide* Inams are *now* held on a tenure far more secure and permanent than any which existed under the Peshwas, and the proof that such is the case is, I think, to be found in the recorded proceedings of the Peshwas' Government. But this is not all,—it is only under the present Government that Inamdars have been relieved from the constant and heavy exactions to which they were previously subjected. The Native Government seems to have exacted from them largely, and if not quite as much as from some other classes, certainly as much as they required or thought proper. The difference was in many respects a purely nominal one; Inamdars did not, as a general rule, pay what was called "Nuzur," though it was frequently levied from them, but they were made to pay in a dozen other ways, and the Government demands were, if resisted, realized by a summary process,—the resumption of the Inam. I give below nine of the heads under which levies from Inamdars were brought to account, the amount of revenue which was thus realised being shown by the accounts of the late Government to have been very large:—

1. Inam Tizaiee.	6. Babool Puttee.
2. Kurz Puttee.	7. Swaree Puttee.
3. Ek Salee Puttee.	8. Ambeh Puttee.
4. Duhuk Puttee.	9. Doomalleh Puttee.
5. Inam Puttee.	

Of these, all save Inam Tizaiee have, I believe, been discontinued.

16. Mr. Warden thinks (see paragraph 3 of his letter) that "an Inam was originally a grant from the rich to the poor for his maintenance"; and it seems desirable to inquire in how far this description can be held applicable to the Inam tenure as it existed at the conquest of the Deccan, because it may fairly be supposed that grants essentially of this nature must have been exempt from resumption on almost all of the grounds shown by the State records to have been those on which resumptions usually took place. What an Inam may have originally (*i. e.* as far back as the seventeenth century, and even earlier) been, it is, I apprehend, now scarcely possible to ascertain with certainty; nor, indeed, am I able to perceive that the information, if obtainable, could be of any practical use, as we know perfectly well what Inams were during the Government of the Peshwas, and what they were when the Peshwas' authority gave way to that of Great Britain.

17. Looking, then, to the seventy or eighty years which preceded the introduction of the British Government,—and for nearly the whole of which period we have voluminous records,—it will be found that Inams were indiscriminately granted to both rich and poor; very often, doubtless, to the latter for their maintenance, but frequently, also, to the former for their dignity: the instances in which *Inams of considerable value*

were granted to persons in different grades of life are very numerous, and cannot, in my opinion, be correctly designated as gifts to the poor for their maintenance, nor can I suppose that they were ever intended or considered as such; and still less am I able to view in this light the bestowal,* in Inam, by the sovereign of a small portion of land, or of a village worth only a few hundred rupees, upon a powerful tributary prince or feudatory already in the possession of estates valued at millions. I have extracted a few of the most striking cases on record, and they will be found in Statement E appended to this letter.

18. It is, I believe, equally unsafe rigidly to define (see paragraph 5 of Mr. Warden's letter) a Surinjam as "an assignment to the noble for dignity." Many of the smaller Surinjams were of little value, and even these were generally service holdings: in these cases, then, and when the recipient held nothing else, I cannot look upon an assignment, valued at sometimes less than one, and very frequently at not more than three or four thousand rupees, as one granted to uphold the dignity of a noble. I should rather adopt the definition laid down by Mr. Elphinstone in a letter to the Collector of Poona, dated the 22nd August 1818, and describe such a Surimjam as "allotted in lieu of pay for service."

19. Who *were* nobles? must first, however, be asked; and this is a question not very easily answered with regard to a country where the transition from the peasant to the prince was so rapid, and not unfrequent. It may yet be safely asserted, that although nobles were almost universally Surinjamdars, Surinjamdars were not necessarily nobles,—at least not as we understand and use the term. The small Paga commanders and Silledars held Surinjams in common with the Vinchoorkur and the Putwurdhun Chieftains, and many of the inferior Karkoons were Surinjamdars equally with Nana Furnavese; but in these cases the difference of rank and position was just as great as that which in our own country exists between a troop or company officer and a Commander-in-chief entrusted with the fullest powers, or between a local Magistrate and one of the Ministers of State. That the large Surinjams usually granted to great officers did maintain their dignity, and were intended so to do, is, I imagine, unquestionable; but, on the other hand, a numerous class existed, of whom it would be but correct to say that they held Surinjams for their maintenance in return for service rendered.

20. Mr. Warden in his 4th paragraph explains that—

"A Surinjam was of two kinds,—one, called a Fouj Surinjam, was a grant of land from the sovereign to a noble, to enable him to sup-

* Nos. 7, 8, and 9 of Statement E.

port a contingent of troops with which he was bound to take the field with his lord paramount; the other, called a Zât Surinjam, was a distinct grant to the same noble, to maintain due state and dignity as a feudal Chieftain."

But there was *a third* and important description of Surinjam,—that granted to civil ministers, and others of the non-military classes. It is important not to lose sight of these Surinjams, for Moreshwur Dixit's is one of them, and they were, moreover, deemed by the Governor General and by Mr. Elphinstone *not entitled* to the consideration shown to the holdings of the military Chiefs. Mr. Elphinstone observed in paragraph 33 of his despatch No. 78, of the 18th June 1818,—

"With respect to the old military Jagheerdars, I would by no means recommend the resumption of their lands on the death of the individuals; those of civil officers or new Jagheerdars may more properly be lessened or entirely resumed."

21. Mr. Warden, in expressing an opinion (see paragraph 5 of his letter) that a Surinjam was an assignment "never for a longer period than the life of the grantee, and that it is, therefore, as great a misapplication of terms to talk of an hereditary Surinjamdar as it is to talk of an hereditary pension," has overlooked the fact that the existence of hereditary Surinjams was pointed out by Mr. Elphinstone in 1838 to the Honorable Court of Directors, when explaining some of the general principles upon which he had in 1819 recommended to the Governor General that the Deccan Surinjams should be continued :—

"The maintenance [said Mr. Elphinstone] of many of the Chiefs in their possessions was certainly suggested, as supposed by the Governor General, for the purpose of avoiding popular discontent and preventing the too rapid fall of great families; but in other cases it rested in the belief that the holders were entitled of right to their possessions: where a Jagheer was by the original grant made hereditary in the family of the grantee, there could be no doubt of the right of the descendant, but where there was no such grant (as was the case with almost all the Jagheers), the right rested on different grounds, arising from the tenure of Jagheers (or Surinjams, as they are called by the Murathas)."

22. Again,—on the same occasion, Mr. Elphinstone, in referring to the Surinjam of Sheik Meera Waeekur, adverted in terms equally explicit to the existence of hereditary Jagheers :—

"My impression is [Mr. Elphinstone said] that Sheik Meera's ancestor commanded a Mogul fort at the time of the first conquest by the Murathas, and surrendered on terms, one of which was the receipt of an hereditary Jagheer."

23. Previous to this, however, Mr. Warden himself had alluded to the existence of hereditary Surinjams. When submitting to Government in 1834 lists of the Deccan Surinjams, he stated in his letter dated the 3rd January,—

"Sheik Meera Waeekur was a Sattara feudatory Chief, serving the Raja with a few horse and holding a Surinjam for his life in Khandeish. I have referred to his Sunud or title-deed and find that his estate was clearly a life-grant, the customary provision for the continuance of it by inheritance, to be found in the Sunuds of all hereditary Surinjams, being omitted, and the usual form of life-grant adopted."

24. One clearly recorded case in point is to be found in the Surinjam granted to the Kuveejung family, the Sunuds for which are registered in the State diaries, and distinctly define the grant as an hereditary one, to be continued to the children, male and female; and *this very case* was in 1844 specially reported on by Mr. Warden, the Government having, in the 6th paragraph of their Political Secretary's letter No. 994, of the 9th May 1843, called for information on the subject in the following terms:—

"6. With reference to the 15th paragraph of the Honorable Court's despatch, I am directed to request that you will in the first instance satisfy yourself of the authenticity or otherwise of the Sunud on which the family of the late Ekhtaz Khan Jung Nuggurkur claims, as an hereditary grant, the estate held by the deceased, and report the result of your investigation to Government, accompanied by a literal translation of that document. On the receipt of this information the final instructions of Government on this subject will be communicated to you."

This information Mr. Warden supplied in his letter No. 225, of the 29th December 1844, in the 15th paragraph of which Government were informed as follows:—

"I annex, marked A, a literal translation of the Sunud produced by Ekhtaz Khan's son, which is registered in the Peshwa's Duftur, and must, therefore, be held to be authentic; orders to the same effect to the Mamlutdar and district and village officers are also produced by this person."

The concluding portion of the Sunud above referred to is that in which the Surinjam is declared hereditary, and this portion was rendered as follows in the translation which accompanied Mr. Warden's letter:—

"In this manner has the Surinjam grant been made to you, and you are, therefore, requested to assume possession of the shares of the foregoing villages as formerly, and both you and your children, male and

female, enjoy the same. Continue to render faithful service to the State."

25. The whole of the circumstances detailed in paragraphs 21 to 24 of this letter were doubtless in the recollection of the Honorable the Court of Directors when, in sanctioning the revised Surinjam lists, they acknowledged (vide paragraph 17 of Honorable Court's despatch No. 15, dated the 22nd May 1849) in the following terms the existence of hereditary Surinjams, and in doing so admitted the claim of Moreshwur Dixit Munohur, stated to be in the possession of one:—

"No. 2, Moreshwur Dixit, value Rs. 491.—In this case the Sunud is of the date of 1766, but is stated to contain [what is rare in such cases] distinct words of inheritance ; this Surinjam, therefore, should be hereditary."

26. I have met with another recorded grant of an hereditary Surinjam to the Nuwab of Belha, dated 8th Ramzan, Teesa Sumaneen (corresponding with the 3rd June A. D. 1789), the registry of the Sunud for which is forthcoming in the State diaries, and declares the Surinjam to be granted to the *Nuwab and to his offspring* (तुह्मी व तुमचे बरखुरदार Toomhee wu toomché Burkhoordar) so long as they may remain faithful servants of the Peshwa's Government.

27. Mr. Warden in his 6th paragraph (quoting from memory) describes the Governor General as having "ordered on the conquest of the Peshwa's dominions that the Muratha principles and practice in this respect should be followed, and that every Surinjam should be resumed at the death of each grantee and be re-granted as an act of grace." I would, however, observe, that in regard to a very large number of the Surinjams it *was, from the very first,* determined that they should be life-grants only, and to these, of course, Mr. Warden's remarks are not intended to apply. But even in the other cases I cannot find that the Governor General directed the resumption on the death of the holder, and the re-grant, as an act of grace, of *every Surinjam ;* on the contrary, I find that the Governor General in Council expressed himself as "anxious that the alienations of public revenue, either in Jagheers, pensions, or other grants, should be limited as much as possible as to number, amount, and duration." (Vide paragraph 5 of letter dated the 4th March 1820, from the Secretary to the Government of India to the Chief Secretary to the Government of Bombay.)

When Mr. Elphinstone proposed to *declare* certain Surinjams hereditary, or when, at any rate, such was understood to be his proposal, the Government of India did not concur. *This* is the occasion to which I apprehend Mr. Warden must allude, and on this occasion Mr. Elphinstone, who had meanwhile become the Governor of Bombay, was informed in paragraph 13 of letter dated the 4th March 1824, from the

Secretary to the Government of India to the Chief Secretary to the Government of Bombay,—

"13. With reference to those grants which it is proposed to make hereditary, the Governor General in Council doubts the policy of making any grants hereditary which may justly be put on the footing of life-grants. By keeping them as life-grants, Government is by no means excluded from the power of renewing them if it should be deemed expedient to do so, and every renewal will be a fresh act of grace conferred on the individual receiving it; but, by now declaring those grants to be hereditary, Government would be precluded both from resuming its rights when it might be necessary to do so and from conferring favours on the descendants of the present grantees, and would thus be deprived of a probable source of future improvement in revenue and every other branch of civil administration, as well as of the means of winning attachment by personal obligation."

28. The last column of Mr. Elphinstone's list of Jagheers is headed—"For what period recommended"; and in this column some of the Surinjams are marked "Hereditary"; some "May be diminished at his death"; some "For life"; and some are not marked at all. From several circumstances which it is not necessary here to particularise, I inferred on a former occasion (vide letter to the Inam Commissioner, No. 327, dated the 21st September 1852) that these unmarked Surinjams were recommended as life-grants only; but Mr. Warden has in a note to his 8th paragraph now explained that they are those upon which Mr. Elphinstone did not decide, and in regard to which he submitted no recommendation, leaving them open questions.

29. In previously forming an opinion on this subject, I had not the personal knowledge possessed by Mr. Warden of the circumstances (see note to paragraph 8 of Mr. Warden's letter) under which Mr. Elphinstone's lists were framed, and I could, therefore, only look to the best evidence of the intentions of the framer which was within my reach. This I sought in Mr. Elphinstone's own transmitory despatch (dated the 25th October 1819) to the Governor General, which explained each "step" (see paragraph 2 of despatch) in "the operation" of preparing the lists, and the 6th paragraph of which stated that "the whole list was then examined, and decisions passed upon each case"; while, excepting a reference in the 12th paragraph to the claims of persons who had not made their appearance, but were still allowed a hearing, there was nowhere any allusion whatever to questions not decided upon or left open.

30. In my original report, No. 327, dated the 21st of September 1852, on Moreshwur Dixit's Palanquin allowance, Mr. Elphinstone's lists, and what I then supposed to have been his recommendation, were *incidentally*

alluded to, and nothing more, for the *sole* object of that report was to bring to notice what seemed to me a grave error in the *revised lists;* but I subsequently found that even where it did seem of importance to ascertain Mr. Elphinstone's recommendations, it was not possible to do so with any degree of security against error, owing to the absence of any authenticated copy of his lists and the apparently imperfect state of the only document on record at Poona, which I reported, in my letter to the Inam Commissioner, No. 664, of the 29th December 1852, as one "which is not authenticated, and is full of erasures and alterations,—when made it is impossible to determine."

31. The authenticated copy of Mr. Elphinstone's original lists, which, under the circumstances just mentioned, you applied for, has now been received from Calcutta, and does not differ materially from the rough draft heretofore in use here; it, however, enables me now to speak with confidence, and it shows that out of the whole four hundred and fifteen cases which the lists contain, no *less than two hundred and fifty-eight* are in the same condition as the Surinjam of Moreshwur Dixit,—that it is to say, they are "unmarked." (See paragraph 28 of this letter). The following abstract shows the number of marked and unmarked cases in each Class :—

Under what Head.	Marked.	Unmarked.
Sirdars* or great Chiefs	50	60
Mootsudees	45	13
Hoozrat	11	83
Silledars	28	50
Dependents of Foreign States	..	16
Paga Chiefs	18	11
Killedars	..	12
Kitta	5	10
Total....	157	258

Out of the above two hundred and fifty-eight unmarked cases, about one hundred and twenty appear to be those of absentees.

32. In affording, in my letter to the Inam Commissioner, No. 42, dated the 17th January 1853, some supplementary information regarding Moreshwur Dixit's case, I adverted to the somewhat imperfect state of these lists in the following terms :—

"Mr. Elphinstone forwarded these lists to the Supreme Government just when he was leaving the Deccan Commission; it seems probable that their completion may have been somewhat hurried, and

* This Class includes the dependents of the Raja of Akulkote.

that this may account for their not being so perfectly framed as would otherwise have been the case. It may turn out, however, that the lists transmitted were more complete than the drafts which alone were apparently retained for record, and in this case the copies which have been applied for will be all that we require."

The authenticated copies have now been received from Calcutta, and a careful examination of them has satisfied me that they should always be referred to in connection with the other forthcoming English and Murathee records, and that they should be held to be authoritative only *after* collation with these documents. Of course I here refer to the *detail* of the lists; and as exactly illustrating my meaning, I cannot do better than quote the 9th, 10th, and 11th paragraphs of a report which I recently submitted to the Inam Commissioner, (No. 128, dated the 15th March 1853,) and in which I had occasion to allude to this subject :—

"9. Much stress is sometimes laid on the propriety of preserving intact Mr. Elphinstone's arrangements, and in this opinion generally I entirely concur; but I conceive that in speaking of Mr. Elphinstone's arrangements we speak of the *principles* which he laid down so clearly and so minutely as those on which his settlement was made, and that we do not purpose to take for granted that all the *detail* was necessarily correct. Indeed, we cannot do so, for we constantly find instances proving the contrary. One has come under my observation while making this inquiry, and it is such a very striking one that it is worth while to record it.

"10. The Surinjam of Saojee Nimbalkur (including the village of Shernsnee, now reported on) is entered as No. 8 in the Class of 'Paga Chiefs' in Mr. McDonnell's list of Jagheers (which list is nothing more than a detailed statement of the Surinjams entered in Mr. Elphinstone's list of Jagheers transmitted to the Supreme Government on the 25th October 1819), and the Mokassa and Nimchowtaiee Umuls of the village are therein shown as belonging to Government. But in another portion of Mr. McDonnell's list the Mokassa Umul is shown as forming part of the Surinjam of Umursing Jadow Rao, whose name will be found under the head of Sirdars, No. 28.

"11. In the (Chor Chittees) orders of release issued by the Commissioner, copies of which have been forwarded to me by the Agent for Sirdars, another mistake is apparent, the Mokassa Umul having been continued in two places. It is released as forming portion of the Surinjam of Umursing Jadow Rao (Sirdars, No. 28), and it is also released as forming a portion of the Surinjam of Saojee Nimbalkur (Paga Chiefs, No. 8)."

33. The *principle* upon which Inams and Surinjams were continued by Mr. Elphinstone is adverted to in the 10th paragraph of Mr.

Warden's letter. With Inams I have at present nothing to do, but not so as regards Surinjams, the inquiry regarding which Mr. Warden explains to have been—"whether it had been, *however possession may have been in the interval disturbed*, first granted by the dynasty which the British Government succeeded, or whether a stronger prescriptive title had been established by the ability to trace the original grant to the Rajas of Sattara or the Mahomedan rulers of the Deccan."

But this is exactly opposed to the principle laid down in the Government letter, as I understand it, (vide paragraphs 58 to 61 of this letter,) which directed the revision of Mr. Warden's lists, and it is on the principle which I suppose to have been laid down by the Government. that I am conducting my inquiry.

34. I do not attempt here to look back to Mr. Elphinstone's recommendations, because I apprehend the question to be one arising *solely* with reference to the Rules laid down by the Honorable the Court of Directors on which the revised Surinjam lists were ordered to be framed. When the Honorable Court specified A. D. 1751 as the limit (vide paragraph 9 of the Honorable Court's despatch No. 17, dated the 26th October 1842), and declared that all grants of an earlier date should be considered hereditary, they must, I imagine, have contemplated not only possession previous to 1751, but also enjoyment subsequent to that date,—at least, so it seems to me; for otherwise, a Surinjam granted just before 1751 and under resumption for thirty or forty years of the period intervening between the original grant and the fall of the Peshwa, would become an hereditary one, while another grant made in 1752 and held from that date to the breaking out of the war, would have no claim to hereditary continuance, although actually enjoyed during a much longer period.

35. This seems the proper place to record what has taken place with regard to the Deccan Surinjams generally, from the date of Mr. Elphinstone's first settlement up to the present time. This statement will, I believe, be useful in clearing up more than one doubt, and especially in removing a misapprehension which, judging from several paragraphs (12, 28, and 31) of Mr. Warden's letter, seems to exist, that we have questioned, or are about to question in 1853, the decisions passed by Mr. Elphinstone in 1819 in favour of individuals, "merely because we can no longer discover the motives which actuated him to restore grants." Such a proceeding has, as far as I am aware, neither been ordered nor authorised by Government, and nothing of the sort has most certainly ever been contemplated by me.

36. On the 18th June 1818 Mr. Elphinstone submitted to the Governor General "a general view of the measures adopted for the settlement of the Peshwa's late country," and "suggestions on the plans" which

seemed "best suited to the completion of that object." One of the most important subjects discussed was the best method of providing for the Jagheerdars whom the events of the war had deprived of their power and possessions. It was proposed to do this by leaving them their *personal* Jagheers, and by pensioning on moderate sums the few not so provided for. As a measure of policy, Mr. Elphinstone also recommended "pensions to some of the old Ministers of the State, reduced to poverty by the persecution of Bajee Rao,—a sort of bounty that would be more popular than the provision for that Prince's own Ministers."

37. The above was the arrangement proposed with regard to the Jagheerdars generally,—there were exceptions, such as the Putwurdhun Chiefs, Appa Desaee, the Punt Suchew, and others, whose possessions were subsequently specially fixed on different principles. These Jagheerdars formed, and continue to form a separate class, and it will not be necessary further to advert to them in this letter.

38. Mr. Elphinstone calculated that the available revenue would fall short of forty lakhs, and proposed several additional measures, to be adopted in the event of the Governor General deeming the amount insufficient to meet the purposes to which His Excellency might intend to allot it; one of these measures (vide paragraph 33 of despatch) being the "recovery" of the pensions to civil and military officers, "by resumptions from the personal Jagheers."

39. A marked distinction was proposed to the Governor General to be made between the Jagheers of the military and those of civil officers,—Mr. Elphinstone observing in paragraph 33 of his despatch,—

> "With respect to the old military Jagheerdars, I would by no means recommend the resumption of their lands on the death of the individuals; those of civil officers or new Jagheerdars may more properly be lessened or entirely resumed."

40. On the 26th September 1818 the Chief Secretary to the Government of India replied to the despatch, the important portions of which, affecting the subject-matter of this report, I have quoted in the preceding paragraph; and Mr. Elphinstone was informed that his financial calculations were approved of, in the following terms :—

> "The statement given by you of the revenues of the territories of the late Peshwa remaining in the hands of the British Government, after meeting all the demands on us arising from the circumstances under which they were acquired, is satisfactory, and appears to have been framed by you on such notions and moderate principles as to afford just grounds for the belief that no disappointment will be experienced through any unexpected defalcation."

41. In the proposal to continue generally the *personal* Surinjams, or

an equivalent for them, the Government of India entirely concurred, and observed in paragraph 16 of their letter,—

> "The proposal for allowing this class of persons [the Jagheerdars] and the other holders of lands for their personal expenses to retain the enjoyment of the lastmentioned description of grants, is founded on principles of wise and liberal policy, and has the perfect concurrence and sanction of the Governor General in Council, subject to such special arrangements and provisions as you may judge necessary in apportioning the grants, with a view to make distinctions according to individual desert, and to leave at the same time some fund to provide for persons similarly entitled to consideration, but who did not derive their support from grants of land."

42. The 21st and 22nd paragraphs of the Chief Secretary's despatch (below quoted) sanctioned the assignment of pensions to those whose personal Jagheers were to be resumed, and to the old Ministers of the State reduced to poverty by the persecution of Bajee Rao.

> "21. You are authorised to assign suitable but moderate pensions to such of the officers of the late Peshwa's service as are not provided for by having their personal Jagheers left to them.
>
> "22. The arrangements you propose regarding the civil officers of the late Government, and some of the old Ministers of the Poona State reduced to poverty by the persecution of Bajee Rao, are entirely approved by the Governor General in Council. Your excluding from these arrangements those individuals who remained with Bajee Rao up to the last is also approved."

43. I have already stated (paragraph 38 of this letter) that Mr. Elphinstone had proposed to reduce the personal Jagheers in the event of any increase of the available revenue of the country being deemed absolutely required : this, however, the Government of India did not consider necessary, although it was distinctly intimated that the alienation of revenue which these liberal arrangements involved was sanctioned, *not as a permanent, but as a prospectively diminishing one.* The 29th paragraph of the despatch which conveyed these instructions is given below entire, and preserves, it will be observed, the distinction which Mr. Elphinstone proposed (see paragraph 20 of this letter) to make between grants to *civil* and *military* officers of the Peshwa's Government :—

> "29. The tranquillity of the country and the future success of our administration are so much involved in the grant of liberal provisions to the civil and military officers of the late Government, that the Governor General in Council would feel very much averse to sanction any reduction of the amount appropriated to that purpose. Many of

these are for life, and will ultimately increase the revenue of Government; and they will indirectly have the same effect by their influence on the general prosperity and productiveness of our possessions. The Governor General in Council does not by any means contemplate a general resumption of the Jagheers, especially those held by military officers. Every fair occasion, however, should be taken, to resume or curtail Jagheers falling in by the death of the holder."

44. Such was the plan proposed by Mr. Elphinstone, and sanctioned by the Government of India, for "restoring the personal lands of the Chiefs, Ministers, and other Jagheerdars of the Muratha Government," and the completion of which was reported in Mr. Elphinstone's despatch of the 25th October 1819. I propose to quote the whole of this despatch, and of the detailed Rules which accompanied it, because it is of great importance to show *how very fully Mr. Elphinstone explained to the confirming authority the considerations which influenced his recommendations in each case*:—

"1. I have the honour to report the completion of the plan proposed in my despatch No. 78, for restoring the personal lands of the Chiefs, Ministers, and other Jagheerdars of the Muratha Government.

"2. The first step in this operation was to extract from the Peshwa's Duftur a full account of each Jagheer, and to ascertain, as correctly as possible, the character and history of each Jagheerdar, with the time when he made his submission to the British Government. This was done immediately after the war.

"3. The Collectors were next furnished with lists of the personal Jagheers, and requested to ascertain their actual value, and whether they were in force up to the breaking out of the war.

"4. After time had been allowed for this inquiry, a proclamation was published, calling on all who had claims to Jagheers to appear and show their Sunuds, with lists of their personal lands, acquainting them that it was in the contemplation of His Excellency the Most Noble the Governor General to make some provision for them, and apprising them that none who did not appear before the 15th September would be attended to.

"5. The investigation was now committed to Mr. McDonnell, who proceeded to compare the statements of the Jagheerdars with those drawn up in the Duftur, checking both by the accounts received from the Collectors. A complete register was framed on this comparison, showing the name of the holder of each Jagheer; the date and nature of the grant; the situation of the lands, and the sources of revenue when not drawn from land; with the Kumal or highest revenue, the revenue as stated by the Jagheerdar, and actual collections as reported by our officers.

"6. The whole list was then examined, and decisions passed on each case.

"7. All were left in possession of their lands except such as were granted as late as Bajee Rao's time, to whom pecuniary pensions were assigned.

"8. All Jagheers held by ancient and great families were recommended to be hereditary (but no communication has been made on this subject to the holders). Those which were to cease at the death of the present possessors were specified, and where any allowance was to be continued to their heirs it was likewise noted down.

"9. Besides these principles which determined the grant, other detailed Rules were drawn out regarding the manner of executing it, and are enclosed (No. 1). The object of them was to consolidate Jagheers, and to provide in various particulars for the convenience of Government and the accommodation of the Jagheerdars.

"10. The enclosed statement No. 2 shows the result of the above inquiries, and the decisions passed on them. Where the principles and rules laid down have been departed from, the reasons are always stated in detail; a short account of each of the principal persons is also given.

"11. No. 3 is an abstract of No. 2; the Jagheers in Sattara were afterwards deducted. The balance shows what is still to be paid by the British Government,—it amounts to Rs. 7,46,269-13-0 of actual collections; but as many are already in possession, and others have not appeared, the actual deduction from our future revenue will not amount to this sum.

"12. The reason why those who have not appeared are still allowed a hearing on accounting for their absence is, that it is probable they also held them as Inams (a case not unfrequent), and have, therefore, been already put in possession;—this would sufficiently account for their non-appearance."

The following are the detailed Rules which are referred to in the 9th paragraph of the letter just quoted:—

" *General Rules.*

"I. When a Jagheerdar has no fixed villages for his personal Tynat, he is to receive villages of the average goodness of the Purguna, the Tunkha of which shall amount to the sum fixed for his personal Tynat. In cases where the grant to the Jagheerdars has been regulated by the Kumal instead of the Tunkha, he will receive villages the Kumal of which will amount to his personal Tynat. A Jagheerdar may be allowed to select a village for his residence, the rest will be fixed by Government, as may be most convenient; and if he should

willingly take money instead, it will be so much the better,—the sum to be something above the actual collection from the villages he would otherwise receive.

"II. Where a large proportion consists in partial collections in money and kind, on the lands of other persons, (Umul) one village may be granted, and the rest of the personal allowance made in money; the amount to be regulated by an average of the collection from these sources.

"III. The same scale may be adopted, when not particularly inconvenient, even if the whole Jagheer should consist of Umuls.

"IV. The holders of Mokassa in districts where the revenue has much declined would probably accept of a fixed pecuniary payment, which, though much inferior to what the Mokassa would hereafter rise to, will still be considerably above the receipts from that source. Bargains of this kind ought always to be concluded when they appear favourable to Government: when Mokassa is derivable from the villages in the possession of foreign States, the Jagheerdar is to be allowed to collect them according to former practice, unless they have been exchanged or ceded; in the former case compensation will be made by Government, but in the latter none.

"V. The above rule is applicable to Jagheers; it should be recommended to Government to exchange any that lie within the territories of foreign powers.

"VI. Where money is given in lieu of Jagheers situated in Sattara, the sum is to be paid by the Raja who is to receive the villages.

"VII. No Surinjam ceded to the British Government by the Treaty of 1817, and no Jagheer not actually enjoyed up to the war, to be restored, unless specially directed so to be.

"VIII. In all cases of Mootsudees, where they do not reside upon their Jagheer, and have no particular ground of attachment to it, a pecuniary payment, somewhat exceeding the produce of the Jagheer, ought to be made, instead of actual restoration, unless in peculiar cases, which will be specified in the list and marked 'land.'

"IX. In cases where members of the Hoozrat, and other persons whose Jagheer it is absolutely necessary to continue, have a large share of their resources within the Nizam's country, an application must be made to that prince to continue them in the same manner as Inams."

[Either a paragraph (X.) has been omitted, or the last two paragraphs have been wrongly numbered. Captain Cowper's Office copy of these Rules, and that on the records of the Bombay Government, have been found to contain the same error. It has not been thought necessary to delay this report pending a reference to Calcutta.]

"XI. Ditto ditto ditto Paga Chiefs.

"XII. A list of the Jagheers of Ministers of foreign States to be sent to the Residents at the Courts of those States, and their opinions to be solicited confidentially as to the expediency of continuing them."

45. A perusal of this despatch and its accompaniments, (the detailed Rules referred to in the 9th paragraph of the despatch,) and of the detailed statement of Jagheers prepared by Mr. Elphintone's Secretary and retained at Poona, coupled with the knowledge of the previously recorded discussion to which I have adverted, has certainly left me under the impression, *not* that Mr. Elphinstone *failed* to record the motives and considerations which prompted him, but that he *did* record them with an accuracy and minuteness almost unexampled. In this, as in all other cases, not the least of the merits of Mr. Elphinstone's arrangements consisted in their admitting of such easy explanation, which from first to last that statesman seems to have considered it his bounden duty to afford even in matters comparatively unimportant. Mr. Elphinstone, in adhering scrupulously to a system which must have imposed on him no small amount of additional labour, was actuated, I doubt not, by a conviction of the immense advantage of enabling* the Governor General, in deciding on all questions submitted to him, to do so with a full knowledge of every consideration which had influenced him (Mr. Elphinstone) in proposing them.

46. The transmission on the 25th October 1819 of these lists of Jagheers, and of others of pensions which immediately followed them on the 26th October 1819, was one of the last of the official acts of Mr. Elphinstone as Commissioner and before proceeding to Bombay, to the Government of which he stood appointed. In some respects it was not to be supposed that the lists could be complete,—indeed, as regarded the pension lists, Mr. Elphinstone himself specially drew the attention of the Government of India to the fact that they were not so, and Mr. Warden has from personal knowledge now pointed out (note to paragraph 8 of Mr. Warden's letter) that many of the Surinjams were altogether left unsettled, although included in the lists. Here, again, the wonder seems to be, not that a little should have remained to be done, and that, owing to the necessity of trusting a good deal to imperfect information, error should here and there have crept in, but that a task of such magnitude should have been so well and so thoroughly completed in so short a time, under such circumstances.

* The 10th paragraph of Mr. Elphinstone's despatch, quoted in the last paragraph, seems sufficiently distinct on this point, as it informs the Governor General that the lists of Jagheers were framed generally according to the Rules previously laid down, and copy of which accompanied the despatch, and it further states that where the principles and rules laid down have been departed from, the reasons are always stated in detail.

47. In due course, Mr. Elphinstone's proposed settlement was reviewed by the Government of India, it having meanwhile, however, been discovered that the realizable revenue of the conquered territory would fall greatly short of the amount calculated upon by Mr. Elphinstone when making his proposals, and by the Government of India when generally approving of them. Under these circumstances, the following despatch was on the 4th March 1820 forwarded from the Secretary to the Government of India to that of Bombay :—

"1 am directed to acknowledge the receipt of the despatches of the 25th and 26th October from the Honorable the late Commissioner in the territories conquered from the Peshwa, relating to Jagheers and pensions, either promised or proposed.

"2. The contents of these despatches have been for some time under the consideration of the Governor General in Council.

"3. His Lordship recognises in them an adherence to the principles laid down in the instructions of 26th September 1818.

"4. Since that period, however, a considerable diminution has taken place in the hopes then framed of an efficient revenue from the conquered country, applicable to the general service of the State. From the latest calculations received, it now appears that, considering the ostensible magnitude of the conquest, the aid to be derived from it to our resources is likely, in comparison, to be scanty even in prospect, or at any rate much inferior to what was at first expected.

"5. This consideration makes the Governor General in Council anxious that the alienations of public revenue, either in Jagheers, pensions, or other grants, should be limited as much as possible as to number, amount, and duration.

"6. I am, therefore, directed to convey to you His Lordship's request that the Honorable the Governor in Council will be pleased to revise the lists transmitted with the despatches now acknowledged, with a view to the reduction, if practicable, of the expense which they menace.

"7. It is for several reasons inexpedient that this revision shall be attempted here, and the Governor General in Council is satisfied that it can only be accomplished satisfactorily by the Honorable the Governor in Council.

"8. I am, consequently, instructed to confine my communication to a few observations.

"9. Where the faith of Government is pledged by the promise of the Honorable the late Commissioner, it is not, of course, the wish of the Governor General in Council that any infraction of that promise should take place.

"10. Where it is deemed essential by the Honorable the Governor

in Council, for the tranquillity of the country or on other important grounds of political expediency, that the grant proposed should take effect, the Governor General in Council will rest with entire confidence on his judgment.

"11. But His Lordship trusts that cases may be found in which neither good faith will be violated, nor the tranquillity of the country endangered, nor essential plans of policy frustrated by reduction.

"12. The following are instances which have casually struck the Governor General in Council, and which His Lordship desires me to point out as illustrative of the sentiment expressed in the preceding paragraph, without intending that these should be considered as the only instances seeming to require revision:—

"*1st.*—The case of the sons of Balajee Koonjur. It appears from the note annexed to this number in the list that Balajee Koonjur had been long employed to intrigue with Sindia against the British Government, and continued this occupation till his dying day. It appears that his sons are supposed to be rich. The Governor General in Council is not sensible of the expediency of granting them a pension, unless there be special reasons for it which have escaped His Lordship's notice.

"*2nd.*—The case of Naroo Punt Aotee, the former Governor of Ryghur. It appears that he broke a capitulation, that his general conduct has been bad, and his character infamous. The remark on the first case applies also to this.

"13. With reference to those grants which it is proposed to make hereditary, the Governor General in Council doubts the policy of making any grants hereditary which may justly be put on the footing of life-grants. By keeping them as life-grants, Government is by no means excluded from the power of renewing them if it should be deemed expedient to do so, and every renewal will be a fresh act of grace conferred on the individual receiving it; but by now declaring those grants to be hereditary, Government would be precluded both from resuming its rights when it might be necessary to do so, and from conferring favours on the descendants of the present grantees, and would thus be deprived of a probable source of future improvement in revenue and every other branch of civil administration, as well as of the means of winning attachment by personal obligation.

"14. Observing the pensions of the old Government, partly religious, are proposed to be continued to the estimated extent of Rs. 5,00,000, the Governor General in Council is desirous of having the present opinion of the Honorable the Governor in Council, with reference to our disappointment in the expectation of greater resources from the conquered territories, as to the expediency of carrying into

effect the proposed additional grant of Rs. 2,00,000 for the support of the Hindoo religion.

"15. When the arrangements respecting Jagheers, pensions, &c. be completed, the Governor General in Council will be glad to receive a statement of all Inams, Jaidads, Jagheers, pensions, Nemnooks, Wurshasuns, and other allowances, in order that a complete knowledge may be obtained at one view of the amount of alienations of the public revenue in the territories conquered from the Peshwa, whether granted by us or confirmed by us on the grants of preceding Governments."

48. The Government of Bombay, of which Mr. Elphinstone was then the head, replied, through their Chief Secretary, on the 11th May following, as follows:—

"I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter of the 4th March, on the subject of the Jagheers and pensions, either promised or proposed to be granted by the late Commissioner in the conquered territories.

"2. The Governor in Council is deeply sensible of the necessity of economy, and would willingly adopt every practicable means of reducing the expenses with which our recent conquest from the Peshwa is burdened, but on the most careful revision he finds it impossible to effect any considerable saving.

"3. The Jagheers and pensions to individuals originated in the peculiar manner in which public services were remunerated under the Peshwa's Government, as explained in the report of the late Commissioner, and were conceived by him to be so necessary that he proposed a larger expenditure than the present in his first estimate sent to the Supreme Government in charge of Mr. F. W. Russell on the 8th March 1818, at which time he calculated the profits of the conquest at a much lower rate than at present.

"4. Independent of the considerations which determined the original amount of the grants and appear to the Governor in Council to be still in force, almost the whole of those grants have now been issued, and the individuals have been told that they will enjoy them for life.

"5. No grant of any description has been declared hereditary, the distinction in the list of Jagheers transmitted to the Supreme Government into hereditary and for life being intended as a suggestion for the future regulation of the Government, but having in no instance been communicated to the party concerned.

"6. The Governor in Council is of opinion that the grants marked hereditary should be continued to the heirs of the present occupants; but he entirely concurs with His Excellency the Most Noble the

Governor General in Council in respect to the expediency of renewing the grant on the death of each incumbent. Government will, indeed, be at liberty to exercise its discretion in granting or withholding the renewal on such occasions, except in the case of what is termed Padshaee grants, which the Governor in Council conceives ought in all cases to be renewed; and of the more ancient grants by the Rajas of Sattara, which should be treated with similar attention.

"7. With regard to the instances noticed in your communication, as to the Jagheers conferred on unworthy persons, the Governor in Council observes, that after the principle of continuing their personal lands to all Jagheerdars had once been determined on, it required clear grounds of demerit to resume them in any particular case. The political offences of Ballajee Koonjur, for example, were not considered sufficient to exclude his sons from the benefit of the rule adopted; but the treachery of Naroo Punt Aotee having been clearly established since the report alluded to was transmitted, it has been decided that he has forfeited all claim to this provision..

"8. With regard to religious grants, the Governor in Council is led to believe that they will not exceed one-half of the Rs. 2,00,000, of which sum at least Rs. 50,000 is allowed to supply the place of an expenditure by the Peshwa of Rs. 5,00,000 for the encouragement of learned Brahmins. Part of the remaining sum will be laid out on public education and the circulation of printed tracts, as recommended in the late Commissioner's report,—a point to which the Governor in Council attaches the utmost importance.

"9. Before concluding this letter, the Governor in Council thinks it necessary to remark that the amount of the Jagheers and pensions will soon be diminished by the death of the present incumbents, many of whom are men advanced in life. The number that has fallen in already is for this reason considerably above what might have been expected.

"10. The statement required in the last paragraph of your letter was transmitted with the late Commissioner's reports as far as could be made out from the Peshwa's records, and the experience of the Collectors has not yet been sufficient to admit of their framing other statements, on the accuracy of which some dependence could be placed. They are, however, actually engaged on this investigation, the result of which will probably show a considerable reduction in the total amount of allowances of this description."

49. On the 17th of the succeeding month (June) the Government of India yielded to Mr. Elphinstone's opinion, and concurred in the proposed expenditure (with, however, a marked allusion to the necessity of its not being allowed to become a permanent one) in the following terms.

"The Honorable the Governor in Council being of opinion that it is impossible to effect any considerable saving in the Jagheers and pensions with which the territory conquered from the Peshwa is burdened, the Governor General in Council, in reliance on the judgment of the Governor in Council, has only to express his own concurrence, trusting that advantage will be taken of every proper opportunity to reduce the expenses incurred."

50. Thus closed the discussion on the first portion of the transactions now under review. The supreme authority in India deemed it proper to defer to Mr. Elphinstone's local knowledge and experience, and no one questioned the soundness of the policy. But while dwelling on this, it is important not to lose sight of the fact that Mr. Elphinstone's arrangements were, in the first instance, *provisional ones only*, and that when they received confirmation, they did so only *as involving present and not permanent alienations of revenue.* The Government of India, when eventually sanctioning the former, deprecated, as they had always done, the latter.

51. The comprehensive statement with which the Government of India desired in the 15th paragraph of their Secretary's letter dated the 4th March 1820 to be furnished, on the completion of the arrangements respecting Jagheers and other alienations, appears not to have been prepared, (Chief Secretary's memorandum No. 3674, of the 23rd August 1852,) and the general subject does not seem to have come under the consideration of the Bombay Government again until 1832, in which year the Deputy Agent for Sirdars (Mr. J. Warden), when referring to an amended list of pensions which had been recently framed, suggested (letter No. 93, of the 7th November 1832, to the Secretary to Government in the Political Department) that "the Right Honorable the Governor in Council would find a similar document in respect to the personal Surinjams of the Deccan equally valuable."

52. Mr. Warden also pointed out the necessity of establishing some uniformity in practice with regard to these Surinjams, and stated,—

"As each of these falls in, His Lordship in Council is troubled with correspondence and recommendations, and so different have the decisions sometimes been on cases of a similar kind, that no uniform principle for the future can be said to be yet established."

53. Government having approved of Mr. Warden's proposal, the lists were prepared by him, and having been revised by the Agent for Sirdars, Mr. Marriott, were submitted to the Honorable Court of Directors, who, however, decided on making a still more liberal provision for the Jagheerdars, for reasons subsequently explained, in their despatch No. 17, of the 26th October 1842, to the Government of Bombay to have been,—

"Although this arrangement [the arrangement proposed in the lists prepared by Messrs. Warden and Marriott] would not have violated any pledge given to the Jagheerdars, it was greatly at variance with the recorded intentions of Mr. Elphinstone; and after having communicated with that gentleman on the subject, we forwarded to the Government of India the substance of a paper received from him, the principles laid down in which we desired might be conformed to in reconsidering the subject.

"Mr. Elphinstone observed that the maintenance of many of the Chiefs in their possessions was suggested for the purpose of avoiding popular discontent, and preventing the too rapid fall of great families; but that in other cases it was recommended in the belief that the holders were entitled of right to an hereditary tenure, not (in general) by express grant, but by length of possession. This remark, he said, was applicable to all those families which had held their Jagheers from the time of the Mogul Emperors or the Rajas of Sattara.

"'The Jagheerdars of the Peshwa,' said Mr. Elphinstone, 'stood on a different footing: they had arisen under the dynasty which we subverted; none could have been in possession for more than seventy years; and they had been kept in mind, by the exaction of service, as well as by occasional resumptions, of the real nature and extent of their tenure. Much consideration was, however, due to them as the actual possessors of power, and they were allowed to retain their personal lands for one or more generations, according to their merits or importance.'

"Mr. Elphinstone thus recognised two classes of Jagheerdars,—those of the Mogul Emperors and the Rajas of Sattara,—whose lands he recommended should be hereditary in the fullest sense of the word; and those of the Peshwa, who had a claim to hold their lands for one or more generations."

54. The foregoing instructions were issued by the Honorable Court on the 7th February 1838, and in conformity to them, the Agent for Sirdars was on the 6th November following directed to prepare and submit to Government "revised lists of the Jagheerdras, and the Rules for succession to their estates."

55. Revised lists were accordingly prepared by the Agent and submitted to the Honorable Court, who, however, disapproved of them, pointing out (in their despatch of the 26th October 1842, No. 17) that their previous orders (those quoted in paragraph 53 of this letter) had been misunderstood, and calling for new lists in the following terms:—

"6. In attempting to apply those principles to the various cases under review, Mr. Mills, the Acting Agent for Sirdars, has fallen into a misapprehension which you have failed to correct.

"7. He affirms that none of the Deccan Surinjams come within Mr. Elphinstone's First Class, all of them being grants made since the Peshwas commenced to reign. This result is arrived at by assuming that Ballajee Wishwanath, the first Peshwa, commenced to reign in A. D. 1714, while the earliest grants of which the date is known are of 1719.

"8. But it is only by a complete historical error that all acts of the Muratha Government subsequent to 1714 can be considered as acts of the Peshwas, in contradiction to the Rajas of Sattara. Ballajee Wishwanath was appointed Peshwa in 1714, but so far was he from obtaining undisputed control over the Raja that, upon his death in October 1722, his son, Bajee Rao, was not appointed to the office of Peshwa until seven months after his father's decease, the duties of the office being discharged during the interval by the other Ministers of the Raja. Even Bajee Rao, though he made long strides towards the permanent establishment of the power of his family, can only be considered as the principal officer and Minister of Shahoo Raja; the supreme authority over the Raja and the Muratha State was first usurped by the son of Bajee Rao (Ballajee Bajee Rao). This usurpation, however, was not effected in the lifetime of Shahoo Raja, who was never deprived of personal liberty or sovereign authority as far as he chose to retain it, and exercised it shortly before his death in 1749, by naming Ram Raja his successor; it is from the troubled period which immediately succeeded this event that the sovereignty of the Peshwas is most unexceptionably dated, and the year 1751 may be fairly assumed as the epoch of its commencement.

"9. We direct, therefore, that all Jagheers in Class I. of Mr. Mills' list which bear dates anterior to 1751 be, as Mr. Elphinstone recommends, hereditary in the fullest sense of the word, together with those of which the dates are unknown, but which are known to be ancient. The latter class, though small, includes the three resumed Jagheers of Shaik Meera, Shumshere Bahadoor, and Yeshwunt Rao Dabharee. The first of these, already restored to the son of the last holder, but for life only, must be considered hereditary; the second and third, which are now under attachment, must, if there be any direct heirs, be restored; and in all three cases the receipts from the date of attachment must be accounted for to the Jagheerdars.

"10. In addition to these ancient Jagheers, all those of more recent date, which were granted in commutation for the resumption of ancient possessions (which is known to have been the case with some), are entitled in like manner to an hereditary tenure.

"11. With respect to the Jagheers of more modern origin, Mr. Mills has fallen into another error in supposing us to have determined

that all estates which were marked 'hereditary' in Mr. Elphinstone's original recommendation should be hereditary. On the contrary, we expressly declared our intention to be only 'that Mr. Elphinstone's schedules should be compared with those submitted with the letters under reply, in order that, in any case where the latter are less favourable to the parties, it may be deliberately considered which of the two should be acted upon.'

"12. With regard to Surinjam grants bearing date subsequent to 1751, resumption after a second generation from the conquest, making a pensionary provision equal to half the net proceeds of the Surinjam lands for the generation next succeeding, should be the general rule; but in cases in which Mr. Elphinstone may have recommended a more extended provision, it should be deliberately considered by you and the Governor General in Council whether the services or merits of the family, or the popularity which would attach to the act, furnish an adequate inducement to make an exception to the rule, by prolonging for a further term the tenure of either the whole or a portion of the Jagheer. We would make these exceptions liberally, and we would extend them, where similar reasons recommend their adoption, even to cases not mentioned with particular favour by Mr. Elphinstone."

56. On the 9th May 1843 the Agent for Sirdars was desired to carry out the Honorable Court's orders, and the following detailed instructions were furnished in the 3rd and 4th paragraphs of the Political Secretary's letter No. 994:—

"3. I am further directed to request that, in conformity with the orders contained in the despatch from the Honorable Court of Directors, you will most carefully revise the amended lists of Deccan Jagheerdars submitted to Government by your predecessor, Mr. Mills, in October 1840 and June 1841, and remodel with great care those lists, on the principles laid down in that despatch.

"4. I am desired to request that, in carrying these instructions into effect, you will insert in these new lists separate columns, containing the following information in regard to each individual whose name is entered in the lists:—

"1*st.*—The name of the present incumbent, together with that of the original grantee.

"2*nd.*—The Collectorate in which the village or villages comprised in each Surinjam are situated, together with the names of the villages and their estimated annual value.

"3*rd.*—The date of the original grant, as ascertained from Sunuds or other documents either on the records of the Poona Duftur or in the possession of the family to whom the Surinjam was

granted. The utmost care should be taken to guard against any fraud or deception on this point.

"4*th*.—The age of the present incumbent, and whether solely dependent on his Surinjam for support, or whether he possesses private property.

"5*th*.—Whether the incumbent has any legitimate male issue, and if so, how many sons,—their names and ages.

"6*th*.—The tenure on which the Surinjam will be held by the incumbent, on the principles laid down by the Court in their despatch dated the 26th October last; and in any case in which you may be of opinion that those principles should be departed from, you are requested to submit to Government full information of the grounds on which you may propose such deviation.

"7*th*.—To state in the clearest manner the data on which your recommendations in each case may be founded, and the points on which the instructions of Government are required."

57. The Agent for Sirdars, Mr. Warden, submitted the lists on the 29th December 1844, and the following portion (paragraphs 10 to 14) of his transmittory letter No. 225 is here quoted, as the only one, apparently, material to the general subject on which I have to report:—

"10. As on the former occasion of preparing Surinjam lists the important distinction was not made between grants by the Mahomedan Government and Rajas of Sattara and those by the Peshwas, I contented myself with assigning as the period when a grant began to take effect the date of the earliest grant recorded in the Poona Duftur, but whenever I have now found these documents assign as the motive of the grant that the grantee held a Surinjam in the time of the Rajas of Sattara, I have altered the date of the original grant and placed it anterior to A. D. 1751; Jagheers of which the dates are unknown, but which are known to be ancient, as well as those of more recent date which were granted in commutation for the resumption of ancient possessions, being treated by the Court of Directors with as much consideration as grants actually dated before A. D. 1751.

"11. I have, however, been careful not to adopt any date which is not confirmed by the Poona Duftur; these descriptions of claims, then, compose Class I. of Surinjamdars, whose estates are to be 'hereditary in the fullest sense of the word.'

"12. Class II. consists of grants bearing date from A. D. 1751 to A. D. 1796,—the date of Bajee Rao's accession,—in respect to which resumption after a second generation from the conquest, with a pensionary provision equal to half the net proceeds of the Surinjam lands for the generation next succeeding, is the arrangement contemplated.

"13. Class III. consists of grants subsequent to A. D. 1796, as

well as of those made from A. D. 1751 to 1796 which have been already continued to a second generation since the conquest, and which have, therefore, fallen into the same position as lands granted as late as Bajee Rao's time, the holders of which Mr. Elphinstone considered (Mr. Elphinstone to the Supreme Government, October 25th, 1819) entitled to pecuniary pensions only, and to whom he assigned Surinjams for life. This list contains also four names of persons whose Surinjams should have been resumed on the death of the last incumbents; I have denoted them in the statement. The Honorable Court speaks of two classes only of Surinjams, no distinction being made between grants by Bajee Rao and those of his predecessors, * but a third class was, at all events, required for the reception of the second grantees since the conquest, of whom the first, had they survived till now, would have been entered in Class II.; and it is clear that the grants of Surinjams of Bajee Rao, which might have been converted at first into pensions, as well as grants by the British Government, stand on a different footing from the estates comprised in Class II.

"14. I have assigned pensions equal to half the net proceeds of their Surinjams to the grantees of Bajee Rao and of the British Government, because they would otherwise be worse off than many pensioners, which could never have been intended, or Mr. Elphinstone would have made them pensioners instead of Surinjamdars."

58. Government found it necessary to call for some additional information, and, in doing so, took occasion to point out to Mr. Brown (who meanwhile had succeeded Mr. Warden as Agent) in how far the latter officer's interpretation of the Honorable Court's orders differed from that placed upon them by the Government. The Political Secretary's letter, No. 1896, of the 9th May 1846, (which is a lengthy one,) specified, indeed, *every case* in which Government saw reason to differ or entertained doubts, but it is not necessary here to do more than advert to two important *principles* which Government laid down, and to which the attention of the Agent was especially drawn; these principles were,—

1*st.*—That the antiquity of a *portion* of a Surinjam was not to be looked upon as the antiquity of the whole of it, and that because a portion (perhaps a very small one) of a Surinjam granted prior to A. D. 1751 became, under the Honorable Court's orders, entitled to hereditary continuance, it by no means followed that the remainder granted after (perhaps long after) 1751 was so entitled.

2*nd.*—That it was necessary to ascertain and record whether

* "In their 16th and 19th paragraphs, however, the Court incidentally upholds the principle that Surinjams originally granted for life should be so held, which would of itself create a third class."

Surinjams granted prior to A. D. 1751 had been *since that period uninterruptedly enjoyed* or not.

59. The Government orders were very clear: the first was contained in the 8th paragraph of the Political Secretary's letter, where, adverting to the large Surinjam of the Rastia family, consisting of thirty-nine villages, it was observed,—

"In the statement prepared by Mr. Marriott and Mr. Warden in 1831, this Surinjam is entered as having been granted to the Rastia family in the year 1763; but Mr. Warden now states that this is an error, and that it was granted in the year 1746. This point is of considerable importance, since, if the latter be the correct date, this Surinjam will, under the recent orders from the Honorable Court, become an hereditary grant; but in the former case it will be resumable after a second generation from the conquest, a pensionary provision, equal to a moiety of the net proceeds of the Surinjam, being granted to the generation next succeeding. Mr. Warden, in explanation of his having entered this grant in his present statement as having been originally conferred in the year 1746 instead of 1763, observes,—'In the lists prepared in 1834 the date of the original grant is stated to be 1763, which was the year in which the family received the bulk of its Surinjam, namely ten lakhs of rupees per annum, but during the present researches two grants, namely of the villages of Mohokul and Jeolee, have been discovered bearing the date herein given [1746].' The two villages referred to produce a total annual revenue of Rs. 1,201-8-6, which bears a very trifling proportion to the entire Surinjam, which consists of thirty-nine villages, of the annual value of Rs. 62,212-11-3. Before, therefore, it can be admitted that the whole of this grant was made, as now alleged by Mr. Warden, in the year 1746 instead of in 1763, as entered in the previous statements, it will be requisite that equally clear and satisfactory proof be afforded in regard to each of the other thirty-seven villages, as in the case of the two villages above alluded to."

60. Mr. Warden, in preparing his lists, had recorded merely the date of original grant of each Surinjam, without reference to subsequent enjoyment; but Government, in the 9th, 14th, and 16th paragraphs of their Political Secretary's letter, No. 1896, dated the 9th May 1846, especially directed the attention of the Agent, Mr. Brown, to the necessity of obtaining and recording in the revised lists this important information.

61. The Political Secretary's letter concluded by pointing out the necessity of extreme caution on the part of the Agent, who was informed,—

"The greatest care should be taken in collecting the further infor-

mation now called for since the re-opening of the question of the character of these grants presents an opportunity for the commission of fraud and deception which the greatest caution and vigilance on your part can alone prevent."

62. The revised lists were on the 26th October 1847 submitted (Agent's letter No. 178) to Government, who on the 7th April following, in the Chief Secretary's letter No. 1447, called for some supplementary information, and this the Agent afforded in his letter No. 187, on the 22nd of August 1848. The lists were then forwarded to England, and received the general sanction of the Honorable Court of Directors on the 22nd May 1849. (Vide Honorable Court's despatch No. 15.)

63. Government, under date the 15th July 1851, intimated in their Revenue Secretary's letter No. 7283 that the scrutiny of the Inam Commission (the operations of which it had been decided should be extended to the Deccan) would necessarily embrace the Revised Surinjam lists, copies of which were subsequently, under orders from Government, furnished by the Agent for Sirdars.

64. These instructions were carried out, and reports made either on cases specially referred by Government or on others incidentally brought under consideration,—that of Moreshwur Dixit being one of the latter class. The tenor of these reports was such as to elicit the following orders from Government in their Political Secretary's letter, No. 4175, dated the 24th September 1852, to the address of the Inam Commissioner :—

"I am at the same time directed to request that you will report in detail, in separate letters, at your convenience, upon each of the cases in the revised Surinjam lists with reference to which you state in your last paragraph that you have been informed errors and oversights of even a graver nature than the one now brought to notice exist."

65. And on the 1st October 1852 the revised pension lists, which were supplementary to the revised list of Surinjams, were also directed to be tested, the following being the instructions which the Political Secretary's letter No. 4249 conveyed on the subject:—

"As you have in your letter No. 952, dated the 21st August last, given Government reason to believe that the revised Surinjam lists submitted to Government by Mr. Brown, late Agent for Sirdars in the Deccan, under date the 26th October 1847, contain many grave errors affecting the interests of Government, the Right Honorable the Governor in Council considers it possible that similar errors may have been committed in the lists subsequently prepared by that gentleman [supplemental to the above] of pensions granted by the British

Government in commutation of Surinjams held previous and subsequent to the year 1751.

"2. I am, therefore, desired to transmit to you in original the whole of the proceedings connected with these supplemental lists, as per annexed list, and to request that you will be good enough at your early convenience to test their accuracy and report the result to Government.

"3. A copy of my letter of this date to Mr. Keays is enclosed for your information, and I am to request that you will return the original documents accompanying this letter with your reply."

66. Having now stated the circumstances under which the revised lists were subjected to the scrutiny of the Inam Commission, and having given the substance of the preliminary discussions which took place, and of the instructions which have been issued from first to last in regard to these alienations of revenue, it remains for me to explain the principles on which the above scrutiny is being made.

67. After much discussion, the Honorable Court of Directors promulgated certain Rules for application to the Deccan Surinjams generally, and, in doing so, desired* that wherever Mr. Elphinstone's recommendation in regard to any Surinjam might not accord with those Rules, it should be deliberately considered which of the two should be acted upon; and I understand the orders of Government to be that I should report fully and separately each case in which the above orders† have not been attended to, or in which the Government or the Honorable Court may have applied them on incorrect or incomplete information,—in short, I understand my inquiry to be confined to the revised Surinjam lists, and that it is *their* correctness or otherwise which I have to scrutinise. With Mr. Elphinstone's early inquiry and recommendations, all, apparently, that I have to do is to see that they have been correctly recorded in the revised lists.

68. Mr. Warden's letter, from the 15th paragraph to its conclusion, discusses the case of Moreshwur Dixit Munohur,—in connection, however, with a number of facts and principles of importance, and for the most part of very general application; it seems, therefore, desirable that I should explain in how far the information at my disposal leads me to a different application of those facts and principles, and to conclusions at variance with those of Mr. Warden.

69. Mr. Warden, in the 16th, 18th, 19th, and 20th paragraphs of his letter, describes as follows certain circumstances which appear to him

* Paragraph 14 of Honorable Court's despatch No. 9, dated the 7th February 1838, and paragraphs 11 and 12 of ditto No. 17, dated the 26th October 1842.

† The Rules referred to in paragraph 55 of this letter as those laid down by the Honorable Court, and the subsequent supplementary orders of the Government issued when the revision of the lists was ordered. (Vide paragraphs 56, 58, 59, 60, and 61 of this letter.)

to be peculiar to Moreshwur Dixit's case, and to entitle Moreshwur Dixit to special consideration :—

"1*st.*—The original grantee having been through his mother allied to the reigning Peshwa.

"2*nd.*—A mother's sister is a relation particularly respected among the Hindoos.

"3*rd.*—The sacred character of the original grantee, who was a *Beekshookh*, and as such held in veneration.

"4*th.*—That the original grant had been made with an emphasis most unusual, and that this emphasis, declaring that the grant was to be always enjoyed, was expressly repeated on the first re-grant, and by implication in the last, the third grant stating that the payment was to be made as theretofore.

"5*th.*—It was clear that there must have been some object in the introduction and repetition of this word,* so foreign to a Sunud for a grant on life-tenure, which was quite complete without any such word.

"6*th.*—The course followed by the sovereigns who in succession dealt with the grant in which the word was found, and which, although called a Palanquin allowance, was re-granted twice, and after an interval of fifty-one years was found in the possession of the third grantee, on the abdication of Bajee Rao.

"7*th.*—The example of Mr. Elphinstone in respect to Anna Deodhur.

"8*th.*—An impression 'that so long as the family of Bajee Rao had reigned, this allowance would have been undisturbed, and re-granted again and again as an act of grace.'

"9*th.*—The incidental fact that 'dictionary interpretations' support the meaning assigned by Mr. Warden to the word Néhemee (नेहमी)."

70. The second Peshwa, Bajee Rao Bullal, and Huree Dixit married sisters, the daughters of one Mhadajee Krishnajee Josee, better known as "the Chasskur"; the Palanquin allowance was granted, *not* to Huree Dixit, but, after his death, to his son, Vereshwur, and it was not granted by the second Peshwa, nor even by his son, who succeeded him as third Peshwa, but it was granted by his grandson, the fourth Peshwa, Madhow Rao Bullal: when the grant was made, therefore, the connection stood thus,—the sister of the mother of the grantee, Vereshwur Dixit, had been married to the grandfather (the second Peshwa, Bajee Rao Bullal) of the Peshwa (the fourth Peshwa, Madhow Rao Bullal) who made the grant.

71. It will be thus seen that the Peshwa who made the grant made it to the son of his grandmother's (not mother's) sister. I am not aware that any peculiar degree of sanctity attaches to this degree of relationship, nor, indeed, have I been able to discover that a mother's sister is

* The Murathee word Nehemee (नेहमी).

"particularly respected"; it is, however, I believe, unquestionable that by Hindoos all relations of a mother are considered entitled to respect *inferior* to that paid to all those of the father, and if such be the fact, it furnishes a sufficient comparative estimate,—a positive one can, I apprehend, be, at the best, but a matter of opinion.

72. The changes of which we have recorded evidence were so frequent and so arbitrary, that I can scarcely conceive remote connection (as in the present case) by marriage with the wife of a former Peshwa to have had any great weight with his successor; but however this may have been, the prince whose supposed feelings (see paragraph 20 of Mr. Warden's letter) are more especially the subject of discussion, is Bajee Rao, the last Peshwa, and as regards him there can be no doubt, for his acts speak for themselves. He was found in the possession of large estates and deprived of everything;—

Pandoorung Baboorao Baramuteekur married *to his (Bajee Rao's) own sister.*

Sewajee Bullal Sholapoorkur, whose daughter was the wife of the fourth Peshwa, Mhadow Rao Bullal.

The family of the Chasskur, marriage with whose daughter had connected Huree Dixit with the second Peshwa. (See paragraph 70 of this letter.)

Neelkunt Aboorao Baramuteekur, into whose family a daughter of the first Peshwa had married.

The Peitch family, into which the son (Chimnajee Bullal) of the first Peshwa had married.

73. In *now* discussing the claim of any Surinjamdar to hold his Surinjam hereditarily, on the grounds of his family having been connected by marriage with any of the Peshwas, we have the advantage of knowing the views entertained by the Honorable Court of Directors on the subject. That they do not admit the reason as a sufficient one is evident from their despatch sanctioning the revised Surinjam lists (the 20th, 22nd, 29th, 38th, and 42nd paragraphs of which are below quoted), and I would solicit attention to the cases decided on in the 2nd and in the last of these paragraphs. In the former (that of Kassinath Narayen Rastia) it will be observed that the ancestor of the Surinjamdar had not only been connected with one of the Peshwas *more closely* than Moreshwur Dixit's grandfather was, but that the Surinjam had been *granted twelve years earlier;* and in the other case (that of Wassoodeo Bullal Thuttay) it will be seen that the Surinjam, the hereditary continuance of which the Honorable Court negatived, was held at the conquest by the *father of the wife of the last* Peshwa but one. I should add that Mr. Elphinstone had recommended the hereditary continuance of each of these four Surinjams, which Mr. Warden has

explained not to have been the case with regard to that of Moreshwur Dixit :—

"20. The cases in which Mr. Elphinstone, when Commissioner in the Deccan, recommended that a more prolonged tenure should be granted to particular Surinjamdars than is provided for by the present Rules, have also undergone revisal by you, and they are enumerated, with remarks, by Mr. Brown in a supplemental list submitted by that officer. We proceed to review them in their order."

"22. Class II. No. 3, Kassinath Narayen Rastia (value Rs. 359).—Same recommendation. The estate has been held by the family from 1754, and the original grantee had given his daughter in marriage to one of the Peshwas: these are not sufficient grounds of exception."

"29. Class II. No. 13, Yeshwunt Rao Krishna Wakhurrey (Rs. 960).—Same recommendation. The only apparent reason, that the sister of the first grantee was married to the Peshwa, Ballajee Bajee Rao, is insufficient."

"38. Class III. No. 13, Huree Rao Ramchunder and Anund Rao Ramchunder, (Rs. 549).—Recommended by Mr. Elphinstone to be hereditary, but the only reason shown is the insufficient one that the sister of the first grantee was married to the Peshwa Ballajee Bajee Rao."

"42. Class III. No. 23, Wassoodeo Bullal Thuttay (Rs. 1,250).—Same recommendation. The incumbent at the time of the conquest had given a daughter in marriage to the Peshwa, Mhadow Rao; reason insufficient."

74. I have quoted the above cases to illustrate merely the Honorable Court's *decision on them, as set forth in the revised Surinjam lists.* I mention this because one obvious error in one of these cases has become apparent to me, while casually referring to the lists during the preparation of this report. In the tabular statement forwarded to Government with the Agent's letter No. 187, of the 22nd August 1848, the following reasons are assigned, in the column headed "Remarks," as those for recommending that the Surinjam (entered as No. 11 in the tabular statement) of Kassinath Narayen Rastia should be continued hereditarily :—

"The ancestor of the present incumbent was a merchant, and his daughter, named Warrunseebaee, was given in marriage to Bajee Rao Rughoonath Peshwa, and it was on this account that the village of Shorapoor was given as Zāt Surinjam in 1754, and the Jagheer was continued for three generations under the Peshwa's rule."

But the Peshwa, Bajee Rao Rughoonath, who married Warrunseebaee, *was not born in 1754, or until some twenty years afterwards.*

75. It is, I believe, a mistake to suppose that the Palanquin allowance

was originally granted to a *Beekshookh*, which means nothing more or less than a Brahmin beggar. Huree Dixit was a *Beekshookh*, but his son Vereshwur, to whom the grant was made, (see paragraph 70 of this letter,) was not one; he was a "Gruhusth," or gentleman in the possession of property and power, and it was as a Government official (Government manager or Komavisdar of a district in Khandeish) that the Palanquin allowance was granted to him.

76. The circumstances above described lead, I think, irresistibly to the conclusion that Vereshwur Dixit could not have been, and could not have been looked upon as a beggar when he was granted the Palanquin Surinjam allowance, but there is additional proof forthcoming that he was not so considered, and it is this :—the form of written address to a "Beekshookh" differed essentially from that to a "Gruhusth," and nowhere, of course, was this difference more scrupulously preserved than in Sunuds and other documents emanating from the head of the State, himself a Brahmin. The Peshwa's Sunud making the original grant of the Palanquin Surinjam allowance to Vereshwur Dixit is addressed to a "Gruhusth," and the Sunuds continuing the Surinjam to the son and grandson of the original grantee are likewise so addressed; so that they may be accepted as the best possible evidence of the intention and view of the grantor in this respect.

77. But to render fully intelligible the preceding paragraph, I must explain that *Beekshookhs* in this country are such by *profession* and not by *caste*. The distinction is an important one, because, although no Hindoo could change his caste, his profession to a certain extent depended upon himself, and those who were beggars professionally remained so just so long as they pleased, or so long as their necessities obliged them, and no longer: mendicancy, although tolerated generally, was *venerated* only when a Brahmin found it necessary to beg; and it may, therefore, I think, be reasonably supposed that this was but one link in the skilfully forged chain by which one class of men managed for centuries to fetter their fellow-creatures in a manner which the world is not again likely to witness. Although, however, such was the position a Brahmin commanded, even when subsisting on the bounty of others, it cannot be supposed that, as a general rule, it was preferred to affluence, or even to independent circumstances; but it is certain that the respect in which Brahmin beggars were held, and the countenance which was afforded to them, had the pernicious effect of rendering mendicancy too often preferable to a life of honest toil. Those who abandoned a life of begging on becoming possessed of means were considered and ranked as "Gruhusths" or gentlemen, and such appears to have been Vereshwur Dixit's case.

78. This might be illustrated by almost any number of examples, but

two of the most striking with which I have become acquainted will probably suffice,—

The first is that of the great Putwurdhun family, better known as the "Southern Jagheerdars," whose common ancestor, Hurbhut, was nothing more than a Beekshookh.

The second instance is that of Gungadhur Shastree, who was murdered at Punderpoor, while in attendance on the Peshwa as an ambassador at his court. Gungadhur Shastree had been in his youth a beggar (Beekshookh), but was at the time of his death the highly paid servant of the Gaekwar, and was deeply engaged in the political transactions of the day.

79. Mr. Warden's impression, "that the original grant had been made with an emphasis most unusual, and that there must have been some object in the introduction and repetition of this word [the Murathee word Néhemee (नेहमी)], so foreign to a Sunud for a grant on life-tenure," admits, I think, of ready explanation: the word Néhemee is not to be found in any Sunuds for hereditary grants, if I may judge from all which have come before me in the usual routine of business; from hundreds which I have examined myself; and from thousands which I have caused to be examined on this occasion. Hereditary grants, however, excepted, I am not aware that the use of the word was most unusual, or that its mere insertion necessarily imparted any especial degree of emphasis to a Sunud, or that it was foreign to a Sunud for a grant on life-tenure. The word is to be found used on all sorts of occasions, and for all sorts of purposes, *save* those indicating hereditary continuance, as will be seen from the statement annexed to this letter, and marked F.*

80. I would beg attention to the entry No. 4 in the statement above referred to, as it completely illustrates the correctness of the interpretation placed some time ago by Government on the word Néhemee. (Revenue Secretary's letter No. 7229. of the 7th December 1849.) The entry referred to is that of a Sunud containing an order to an officer entrusted with the revenue management (Kumavees) of a district, to charge to Government a certain amount regularly (Néhemee) on account of his own salary.

81. There are many other instances in which I have found the word recorded, sometimes with reference to money payments, sometimes to the acts of individuals, and sometimes with reference to land resumed and ordered to be held in future (always,—Néhemee) on account of the Government, but nowhere have I found any case in which the word is used to signify, either directly or by implication, hereditary tenure.

* The instances contained in this statement have purposely been confined to Sunuds issued by the Peshwa, who granted the Palanquin allowance to Vereshwur Dixit in A. D. 1766.

82. The use of the word Néhemee, however, in such cases, was by no means general: sometimes it was inserted in an order, sometimes not, as Mr. Warden has in his 18th paragraph shown to have been the case even with regard to this grant, the two first Sunuds for which contained the word, while the third and last document did not. Mr. Warden thinks that in the third case the word must be considered to exist by implication, and I see no reason for differing; but I would remark that this fact alone shows how little the expression can be held to imply anything like *hereditary* continuance; for where an hereditary grant was made nothing was left to be inferred,—the terms of the Sunud were always distinct, and always equally full. Hereditary continuance in Sunuds granted by the Peshwa's Government to Hindoos will be found to have been almost invariably expressed by { वंश Wounsh परंपरेने Purumpuréné पुत्र Pootr पौत्रादी, Poutradee } ; and these words and their meaning are familiar to all classes—even to the cultivator who can neither read nor write.

83. The fact that this Palanquin allowance "was re-granted twice, and after an interval of fifty-one years was found in the possession of the third grantee, on the abdication of Bajee Rao," cannot, I think, entitle it to any more consideration than has been shown to many *older* Surinjams. A case in point is found in the 21st paragraph of the Honorable Court's despatch No. 15, of the 22nd May 1849, in which it is stated,—

> "21. Class II. No. 1, Huree Trimbuk Ranjungaumkur.—Recommended by Mr. Elphinstone hereditary, the only apparent reason being that the Sunud is dated 1753; but though this is only two years later than the limit fixed by us, it suffices to bring the estate within the class of Surinjams granted by the Peshwas, and we see no reason to make the case an exception to the Rules."

And another equally applicable case is the one decided on in the 22nd paragraph of the same despatch, and already quoted in the 73rd paragraph of this letter.

84. Mr. Warden thus describes the circumstances under which Mr. Elphinstone made an exception to his rule in favour of Anna Deodhur, in paragraph 14 of his letter :—

> "For example,—Anna Deodhur's niece was given in marriage to the last Peshwa, who bestowed a Surinjam on his bride's uncle. The holders of land granted by the last Peshwa Mr. Elphinstone considered entitled to pecuniary pensions only, but the Surinjam of this Sirdar, whose family had been honoured by an alliance with the reigning house, was reserved to him."

But I find additional and very strong reasons recorded in this case* by

* Entered in Mr. Elphinstone's lists as No. 10 under the head "Sirdars or great Chiefs."

Mr. Elphinstone; so strong, indeed, as to lead me to believe, judging from similar cases decided on, that Mr. Elphinstone would have hardly rejected them, even had no others existed. Mr. Elphinstone's decision* states them to have been,—

> "To have his personal Jagheer, Rs. 20,000, according to the general rule No. 1. He has only held it for ten years, but his father was a respectable Minister, and he had himself Rs. 20,000 a year from fees in the Duftur before his Jagheer was granted him."

85. Mr. Elphinstone, under the circumstances just explained, allowed Anna Deodhur to hold, as a special case *and for life*, a Surinjam received from Bajee Rao, whose grants it was the general rule to resume; and Mr. Warden (if I correctly understand him) is of opinion (see paragraph 20 of Mr. Warden's letter) that Moreshwur Dixit's case may be made an exceptional one, in "following the example of Mr. Elphinstone"; but the Surinjam of Anna Deodhur (who was a *near connexion* of the *last Peshwa*) was continued as an act of grace, and *then only as a life-grant*, whereas Moreshwur Dixit's claim to hold his Surinjam as an hereditary one was stated to rest on a deed of grant (Sunud) declaring it to be so.†

86. The dictionary interpretations to which Mr. Warden refers he explains to be "constantly," "regularly" (marginal note to paragraph 19 of Mr. Warden's letter), and these are the precise meanings which Government have already attached to the word "Néhemee," and the meanings, also, in which the term seems to have been used by the Peshwas' Government. But in Mr. Warden's lists "Néhemee" was translated as "perpetual" (see paragraph 125 of this letter), and *this* is the interpretation which, as applied to a Surinjam or to any personal allowance, I have hitherto had in view as an incorrect one.

87. Under all the circumstances above explained, therefore, I am unable to agree with Mr. Warden in supposing Moreshwur Dixit's Palanquin Surinjam allowance to have been granted and continued under any peculiar circumstances; and as to what the last Peshwa would have done with it, had he continued in power, I cannot hazard an opinion, for Bajee Rao's own acts proved (as I have shown in paragraph 72 of this letter) how little dependence could be placed on him; but even admitting Bajee Rao's favourable disposition towards this Surinjamdar, the argument would apply with equal or greater force to many other holdings which the British Government have found it neither requisite

* Three of the columns in Mr. Elphinstone's lists are headed respectively "Remarks," "Decision," and "For what period recommended." Mr. Warden's quotation is from the first of these columns.

† In Mr. Warden's lists—"perpetual"; in Mr. Brown's revised lists—"always (नेहमी) on hereditary tenure."

nor expedient to recognise as hereditary; and it therefore seems to me dangerous to base (even partially) any such concession on grounds which might be made of such very general application.

88. I have thus endeavoured in paragraphs 69 to 87 of this letter to explain my reasons for entertaining an opinion differing from that of Mr. Warden as regards this portion of the question, which, however, appears to have been *now, for the first time*, brought under discussion. The following is an extract from the Political Secretary's letter No. 994, of the 9th May 1843, paragraph 4, clause 6, directing the preparation of the Surinjam lists according to the Rules laid down by the Honorable Court of Directors, and describing one item of information especially required to be—

> "The tenure on which the Surinjam will be held by the incumbent on the principles laid down by the Court in their despatch dated the 26th October last, and in any case in which you may be of opinion that those principles should be departed from, you are requested to submit to Government full information of the grounds on which you may propose such deviation."

And Mr. Warden, in submitting the lists, informed Government as follows in paragraph 23 of the Agent's letter to Government No. 225, dated the 29th December 1844:—

> "No. 7 is the list, contemplated in the 12th paragraph of the Honorable Court's despatch, of cases in which the services or merits of the family, or the popularity of the act appear to furnish an adequate inducement to prolong, in exception to Rules, the tenure of the Jagheers. I have, as you desired, stated the grounds on which I am of opinion that these principles might be in regard to these cases departed from."

While in the lists *the only reason* assigned in the column headed "Remarks" of list No. 7 of Mr. Warden's lists of 1834, entry No. 3, for making Moreshwur Dixit's a special case, was,—

> "This grant is entered here because the Sunud on which it is held declares it to be perpetual."

89. The Agent for Sirdars, Mr. Brown, when specially* called upon for information regarding Moreshwur Dixit's Palanquin allowance, reported as follows:—

> "The Sunud expressly mentions that this Surinjam should always (नेहमी) be continued on hereditary tenure, which gives weight to the claim of this individual that his Jagheer should be considered hereditary."

* After the revised lists were submitted, Government called for further information. (See paragraph 58 of this letter.)

And Mr. Warden, referring to the above passage, is of opinion (see paragraph 23 of Mr. Warden's letter) that,—

"At the same time that Mr. Brown recorded this, he endeavoured to guard himself against being misapprehended by introducing the original Murathee word in the original Murathee character, which he translated 'always.'"

But it seems to me that the error was first committed (see paragraphs 127 and 128 of this letter) in introducing at all the word "hereditary," and that this error was greatly increased by the subsequent introduction of the original word in the Murathee character, translated as "always"; for although in the Sunud there was no word to be translated correctly as "hereditary," it might in the first instance have been that "hereditary" had been confounded with "always," but at last "always" was given with its Murathee original (Néhemee, नेहमी), and "on hereditary tenure" (for which there then remained no corresponding Murathee word of any sort) *was added*, the wording of the Sunud being thus made stronger than ever. (See paragraph 29 of this letter.)

90. Mr. Warden presumes (paragraph 24) the Government to have interpreted the word "Néhemee," in the case of Moreshwur Dixit's Palanquin Surinjam, as they did in the case of the Wurshasun allowance to which I referred when reporting in the first instance upon Moreshwur Dixit's case (*i. e.* that it was interpreted by the Government as "regularly"), and that both Sir George Clerk and the Honorable Court must have known that hereditary in the ordinary sense of the word could not be applied to a Surinjam; but I have already explained (see paragraphs 21 to 26 of this letter) that hereditary Surinjams *do* exist, and that the Honorable Court adverted to *this very fact* as a rare one, when they sanctioned the hereditary continuance of Moreshwur Dixit's Surinjam *solely* because the Sunud granting it was stated to contain "distinct words of inheritance." It seems, therefore, clear that both Sir George Clerk and the Honorable Court could only look to the report before them in Moreshwur Dixit's case, and that report declared the Sunud to mention *expressly* that the Surinjam should always be continued on hereditary tenure. *On this information* Sir George Clerk recorded* an opinion that although the grant, as one of A. D. 1766, did not "come within the general Rules laid down by the Honorable Court as conferring an hereditary title, the fact of its having been assigned to the ancestors of the present incumbent on hereditary tenure seemed a sufficient reason for this [the Bombay] Government to recommend that the provisions of the Sunud granted to this [Moreshwur Dixit's] family

* See *précis* of past proceedings of the Government, transmitted to Mr. Warden with the Chief Secretary's letter No. 4401, of the 9th October 1852.

should be upheld." And the Honorable Court of Directors, in finally deciding on the case, did so in terms so distinct as to leave, it appears to me, no room for supposing that they acceded to the recommendation of the Government on any other but the exact grounds on which it had been made (*i. e.* because the Surinjam was one stated to be held under a Sunud declaring it hereditary): the Honorable Court observed,—

"In this case the Sunud is of the date of A. D. 1766, but is stated to contain (what is rare in such cases) distinct words of inheritance. This Surinjam, therefore, should be hereditary."

91. Under the circumstances recorded in the last paragraph, I am unable to agree with Mr. Warden (paragraph 24), and I cannot suppose it possible that either Sir G. Clerk or the authorities at the India House could have known "that Mr. Brown could only mean what Mr. Elphinstone meant when he spoke of the belief that the holders were entitled of right to an hereditary tenure"; for Sir George Clerk distinctly recorded his recommendation to rest on "the provisions of the Sunud," and the Honorable Court, with equal distinctness, declared their sanction to be accorded *because*, as the Sunud contained "distinct words of inheritance," *therefore*, the grant should be hereditary. Added to this, it must be remembered that Mr. Elphinstone, when expressing his belief that the holders were entitled of right to an hereditary tenure, distinctly defined the right to be one based on length of possession (*i. e.* possession from the time of the Mogul Emperors or Sattara Rajas), and *not* on *hereditary title-deeds;* whereas Mr. Brown's recommendation was based, and his recommendation was acceded to, upon the supposed existence of an hereditary title-deed, where there *was not* the length of possession contemplated by Mr. Elphinstone.

92. I do not think that the very striking comparison between the French fisherman and the member of the royal family of Great Britain, drawn in Mr. Warden's 27th paragraph, can apply to my report of the 21st September last, No. 327, in which it was not my intention to institute any comparison whatever between Ballajee Punt Nuthoo and Moreshwur Dixit or his ancestors, but merely to refer to a decision bearing materially upon the case reported on, and in which the Honorable Court had declared generally that Palanquin allowances were not, *per se*, hereditary. The Palanquin allowance particularly adverted to in the Honorable Court's decision *was* that of Ballajee Punt Nuthoo, certainly, but had it been one granted to one of the Putwurdhun Chieftains it would have been equally referred to by me,—my reference was not to the individual to whom the allowance was granted, but to a particular description of allowance granted by a particular authority: in both cases the grant was of the same description (*i. e.* an allowance for a Palanquin), and in both cases the grant emanated from the same

source (the Government). *To this extent* I viewed them as exactly alike.

93. The whole of Mr. Warden's 28th paragraph is based on the assumption that Mr. Elphinstone's* decisions have been questioned; but I have explained that, as far as I am aware, my inquiries have nothing to do with Mr. Elphinstone's decisions, and that I am desired by Government to ascertain merely in how far the decisions of the Honorable the Court of Directors on the revised Surinjam lists have been passed on facts correctly and completely stated. Mr. Warden, however, here (paragraph 28) refers to more than one important subject, on which it seems especially desirable that I should furnish Government with all the information I possess, as they are intimately connected with the general question of the alienation of public revenue.

94. The first and most important of these subjects is the state of the records of the late Government (better known here as "the Poona Duftur"), regarding which considerable misapprehension seems to prevail. Mr. Elphinstone many years ago alluded, as Mr. Warden has now done, to the incomplete state of these records, and when Mr. Elphinstone wrote, he was correct, in so far that a portion of them had been removed to the different Collectorates,† but a portion, consisting only of district accounts of management, the State diaries, the ledgers,‡ the estimates, and, in fact, the more important portions of the Duftur, were kept entire at Poona, and were there catalogued, and thus rendered much more available for all practical purposes than they could previously have been.

95. Such was the state of things when Mr. Elphinstone wrote in 1838, and even then I can scarcely conceive the separation of the above described portion of the records to have been an absolute bar to obtaining information as correctly as before, though it could not, of course, have been obtained as easily or as quickly; but I need not dwell upon this, because it is a state of things which exists no longer,—in all districts over which the operations of the Inam Commission extend, the records have been, under the orders of Government, returned by the different Collectors, and are now under the sole charge of this department; so far, therefore, as regards the Deccan Surinjams, I have at my disposal the whole of the Duftur to which Mr. Elphinstone alluded as having been entire in 1818 and 1819.

* Mr. Warden himself has, however, pointed out, in the note to the 8th paragraph of his letter, that Mr. Elphinstone's inquiries did not embrace Moreshwur Dixit's case, although the revised Surinjam lists were framed and sanctioned under the impression that Mr. Elphinstone had recommended it to be made a life-grant.

† The Poona and Nuggur district accounts, however, were not thus removed, and in these two districts the larger portion of Deccan Surinjams was comprised.

‡ The Ghurnea ledger is one of the most perfect State records, especially with regard to revenue management, which has probably ever been framed and preserved in any country; under the last Peshwa, however, this valuable ledger was not kept.

96. But I have now at my disposal much Duftur *in addition* to the above, and among this additional portion are to be found some of the most valuable* accounts which the Peshwa's records contain,—*i. e.* the accounts of management and estimates for the period immediately preceding the war in 1817. At the breaking up of the Deccan Commission in 1826, many enormous heaps and rooms full of papers remained in the record house unexamined and just as they had been thrown there at the taking of the country, and it is only within the last eight years that they have been put in order and the valuable† portions extracted and arranged for use;—the completion of this, indeed, only took place a few months ago.

97. I have as yet alluded only to the *State records* of the late Government,—*i. e.* those accounts which were either framed under the immediate orders of the Peshwa, or were rendered to him at stated periods; but these documents, though very valuable, are insufficient alone to test every description of alienation of revenue: there are the detailed accounts of management, which were in many cases not rendered to Government; there are the accounts of the hereditary officers; and, above all, there are the registries of land, all of which remained in the possession of the local authorities. Very few of these accounts were obtained at the conquest of the country, although the enormous number which have been discovered‡ within the last eighteen months afford convincing proof of their existence, and of the care and pertinacity with which they have for so many years been concealed and withheld from Government—in a majority of cases by their paid servants, the hereditary officers. Some idea may be formed of the nature and value of these hitherto withheld accounts, when I state that the land registries are the *only*‖ documents by which a very large proportion of the alienations of public revenue can be tested.

98. This is not the place to do more than allude generally to this subject, especially as the details have been already so fully laid before Government: it will, however, be well to specify one of the most striking instances which has come to my knowledge of the extent to which accounts of the late Government have been withheld, and of the

* The 25th paragraph of Captain Cowper's report No. 137, of the 19th March 1853, illustrates in a remarkable manner the great value of these lately found accounts.

† When it is stated that no less than *one thousand* bundles of useful accounts have been thus extracted, some idea can be formed of the amount of additional information which is now for the first time available.

‡ The 4th paragraph of the Inam Commissioner's report to Government dated the 8th April 1852, No. 546, adverted to this organised system of concealment, which has been since found to exist to an infinitely greater extent than was then supposed possible.

‖ The 4th paragraph of the Inam Commissioner's report No. 546 explained to Government how fully this fact has been understood and calculated upon by the persons concealing these accounts.

effects of the system, which, though attacked, is as yet far from destroyed.* The case referred to was reported in my letter No. 433, of the 25th October last, which I will quote at length:—

"A perusal of the English records of the Commissioner in the Deccan has informed me of another case, which seems so strikingly illustrative of the systematic concealment of accounts of the Peshwas' Government hitherto practised that I beg to submit it for your consideration.

"2. After our occupation of the country in 1817, it became a matter of the utmost importance to obtain correct information regarding the transit, custom, and other duties collected in the Deccan, and for this purpose inquiries were instituted in every direction, and the Collector of the large district of Ahmednuggur was, with other functionaries, called upon by the Commissioner to obtain and furnish all the information he could procure regarding the Nuggur Collectorate.

"3. The Collector's report did not afford the requisite information, and he was again addressed on the subject. A copy of his reply to this second requisition is annexed; it is dated the 13th September 1830, and thus accounts for the incompleteness of his previous statements:—

"'I beg leave further to add that the whole of the accounts connected with this subject were kept at Poona under the Murathas, and that in consequence of this fact there is not a single document from which the roughest guess could be formed of the collections for any one year. If any statements are procurable, I should think it most probable they would be so at Poona, where Chinto Punt Deshmook, the great customs farmer, resides.'

"4. There can, I apprehend, be no doubt that endeavours were made to procure accounts from the source pointed out by Captain Pottinger, and there can be as little doubt that previous to the receipt of his letter just referred to, the Commissioner must have made inquiries in the same quarter. In how far the efforts made were successful can be pretty accurately surmised from the fact of Captain Gordon having in March last obtained from the Deshmook's family *four cart-loads* of accounts of the late Government, chiefly referring to the customs.

"5. That the revenues of a large portion of this Presidency have suffered greatly from the concealment of the accounts of the late Government, heretofore practised, is more than probable, but it seems to me *certain* that they will suffer to an incalculably greater extent

* The 17th paragraph of Captain Cowper's report No. 557, of the 20th November 1852, adverts to the existing deficiency in the law, and the great want of some legal enactment providing effectually for the suppression of the system, and the recovery of the Peshwas' accounts of revenue management.

should these documents not now be recovered and applied to their legitimate use. The Court of Directors and the Government have, I believe, both concurred in the opinion that the decisions of this Commission should be viewed as *final*, and it certainly seems to me that they should be so, from considerations both of policy and justice. If I am correct in these views, it seems very desirable to point out to Government, not merely the great risk, but (it may, I think, be safely stated) the positive certainty, as matters at present stand, of a large portion of the revenue being permanently alienated to persons possessing no title whatever, and who, in many cases, have obtained possession by fraud, and have hitherto successfully evaded inquiry by the same means,—*i. e.* the concealment of all accounts of the late Government.

"6. The above must be the inevitable result of many of our decisions, unless Government see fit to invest us with power sufficient to ensure the production of *all existing accounts of the late Government.*

"P. S.—Since writing the above, I have learned that the accounts of the customs received from the Deshmook's family at the introduction of the British rule amounted to about *eleven bundles*, which have been up to this day preserved among the old records in the Duftur palace at Poona; the accounts referred to in the 4th paragraph, as received from the said family by Captain Gordon in March last, amount to about *three hundred bundles*."

99. The want of the aid of the hereditary Duftur Karkoons, which Mr. Warden also supposes to operate prejudicially, does not, I am happy to say, exist: one of the best of these Karkoons (Gunesh Krishna Pendsay, commonly called Raojee Pendsay, about seventy years of age), whose father and grandfather spent their lives (from about A. D. 1730) in the Duftur, is on the strength of the Inam Commissioner's establishment, and has assisted me from the commencement; but I would here record an opinion which I lately took occasion to express on this subject. (See also paragraph 14 of this letter.) The following is an extract from my report No. 137, of the 19th March last, on a claim to a large pension in regard to which this very hereditary Karkoon afforded information which, though accepted at the time (*i. e.* when the revised pension lists were framed) as correct, now turns out to be otherwise :—

"Raojee Pendsay is an old hereditary Duftur Karkoon, with a great knowledge of all matters connected with the revenue administration of the last Peshwa, and possessed of a most wonderful memory. Under *any* circumstances, however, I should for obvious reasons receive his evidence in matters of this sort with extreme caution; for though sometimes of much value, it is peculiarly requisite that, as a general rule, it should be tested and supported by other and independent

testimony, and, especially, by the documentary proof afforded by the State records."

100. Under all the circumstances which I have explained, it may, then, I think, be safely asserted that the records of the late Government are now more complete, better understood, and more capable of being made generally useful than they have been at any previous period of our rule.

101. The third and last subject of importance referred to in Mr. Warden's 28th paragraph is the supposed impossibility of now ascertaining the motives which influenced Mr. Elphinstone in proposing the settlement he did to the Governor General. Although this is a question already partially discussed (see paragraphs 44 and 45 of this letter), it seems to me to be one of such importance, and to be so intimately connected with the general subject of alienations, that I would again briefly refer to it;—the correctness of any opinion which I may have formed can be very easily tested, as the grounds on which I have arrived at my conclusions are patent to all. I have perused the despatches of the Government of India and of Mr. Elphinstone, and they appear to me to define in the clearest manner the general principles upon which the settlement of the Deccan was made. Supplementary to these are Mr. Elphinstone's detailed lists, his transmittory despatch of the 25th October 1819, the Rules which accompanied that despatch, and the still more detailed statements which were prepared and recorded here, under his own orders and supervision. All these documents I have studied attentively, and I am bound to say that I have, generally speaking, found them not only to afford the "record of rights" to which Mr. Warden alludes in paragraph 28 of his letter, but to explain, as clearly as they do minutely, the other considerations which influenced Mr. Elphinstone. The antiquity or greatness of a family; early adhesion to the British cause; the necessity of providing employment for certain classes; the importance attached to non-interference with grants of a purely religious nature; the policy of preserving in respectability some great families ruined by Bajee Rao, and of preventing the too rapid decay of others,—all these, and a variety of other reasons, Mr. Elphinstone has *recorded* to have existed, and to have influenced his decisions in the particular cases to which he considered them applicable, *and in each of which he stated them to be so.*

102. In his 30th paragraph Mr. Warden alludes to the two cases of the Poorundhuree and the Vinchoorkur, which Mr. Elphinstone considered should be made exceptions to the general Rules laid down. In the first of these cases (that of Poorundhuree) Mr. Warden, I imagine, quotes from the "remarks" made in the case "of Neelkunt Rao Abba Poorundhuree" (whose name stands No. 5 in Mr. Elphinstone's lists, in the Class of Sirdars or great Chiefs), and which are as follows.

"The head of the great house of Poorundhuree; came in to Sir John Malcolm.—Hereditary."

This seems to me a clearly recorded reason, quite sufficient to explain the recommendation made; but the remarks in the case of the head of the other branch of the family, "Trimbukrao Myheeput Poorundhuree" (whose name stands in Mr. Elphinstone's lists as No. 14 in the Class of Sirdars or great Chiefs), explain still more in detail the considerations which influence Mr. Elphinstone, and allude in the following terms to a *promise* given by Sir John Malcolm in letters the dates of which are specified :—

"The whole of his personal lands to be restored; Rs. 10,000 of this sum was granted by Bajee Rao, but is not to be resumed, in consequence of the promise of Sir John Malcolm, communicated in his letters of the 5th June and 26th July 1818."

But the bulk of the Surinjam of the family is shown by Mr. Elphinstone's lists to have been held seventy-eight years *or before* A. D. 1751, and in the 8th paragraph of his despatch of the 25th October 1819, the Governor General was informed that "all Jagheers held by ancient and great families were recommended to be hereditary," so that Sir John Malcolm's promise, apparently, affected only the smaller portion granted by Bajee Rao, the rest being recommended for hereditary continuance *under the Rules*.

103. The other of the two cases is that of the Chief of Vinchoor, "Vittul Nursing," whose name stands at the head of Mr. Elphinstone's lists in the Class of "Sirdars or great Chiefs," and whose Surinjam was restored for reasons thus recorded by Mr. Elphinstone :—

"The whole of his personal lands, according to the Duftur, to be restored. This is proper, in consequence of the respectability of the Chief, and of the promises of Sir John Malcolm communicated in his letters of the 5th and 26th July 1818."

104. With regard to these two cases, Mr. Warden observes in the 30th paragraph of his letter,—"That he (Mr. Elphinstone) acted advisedly, and on sound considerations in each case, though we can no longer discover them, I have not the slightest doubt,"—but I cannot conceive it at all probable that in these cases Mr. Elphinstone can have left anything to discover. The antiquity of the holdings and of the families; the number of years during which they had held possession; the portions of the Surinjams recently granted; the circumstances under which the Sirdars submitted; and, lastly, the very letters promising the restoration of the Surinjams,—all this is recorded in the lists, and I certainly look upon it as information so complete as to preclude the supposition that Mr. Elphinstone was influenced by other considerations not

communicated to the confirming authority. (See paragraph 45 of this letter.)

105. The following is an extract from the 31st paragraph of Mr. Warden's letter :—

"As I presume no one will venture, at this time or at any other time, to place his opinion in competition with that of Mr. Elphinstone, instead of making that information (*i. e.* information derived from the State records of the Peshwa's Government) the grounds of disturbing claims which have already been inquired into six times, to the harassing of the claimants for no less than twenty years, I hope the Government and the Court of Directors will forbid any one to question his decisions* in favour of individuals, when ratified by the early revisers of his lists, merely because we can no longer discover the motives which actuated him to restore grants."

All that seems proper for me to do is to state,—

1st.—That I understand the orders of Government (Chief Secretary's letters numbered 4175 and 5249, and dated respectively the 24th September and the 1st October 1852) to be *not* that I should question Mr. Elphinstone's decisions, but that I should report cases coming to my knowledge in which the Rules laid down by the Honorable Court of Directors, as those upon which the revised Surinjam lists should be framed, have been incorrectly applied, owing to an incomplete or incorrect statement of facts.

2nd.—That even in cases of the above description, I am not to call upon any Surinjamdar for any information without the previous sanction of Government. (Chief Secretary's letter No. 409, dated the 27th January 1853.)

3rd.—That the undermentioned reports, which have been already submitted, pointing out errors, some of them apparently of the gravest nature and seriously affecting the general interests of the country, will enable Government readily to determine in how far the revised Surinjam lists, and the lists of pensions supplementary to them, have or have not been correctly framed :—

Submitted to Government with the Inam Commissioner's memorandum No. 1080, dated the 16th September 1852.

1. Preliminary report No. 322, dated the 15th September last, on the Surinjam of Krishna Rao Neelkunt Moozumdar.

Submitted to Government with the Inam Commissioner's letter No. 1105 dated the 22nd idem.

2. Preliminary report No. 327, dated the 21st idem, on the Surinjam of Moreshwur Dixit Munohur.

* Mr. Warden has, however, pointed out, in a note to the 8th paragraph of his letter, that Moreshwur Dixit's case was not decided on by Mr. Elphinstone at all.

Submitted to Government with the Inam Commissioner's letter No. 1883, dated the 5th April 1853. — 3. Detailed report No. 102, dated the 28th February last, on the Hindoostan portion of the Surinjam now held by Chimnajee Vittul Poorundhuree.

Ditto to ditto with ditto No. 1929, dated the 14th idem. — 4. Ditto ditto No. 114, dated the 7th March last, on the Surinjam of Trimbukjee Raja Bhoslay.

Ditto to ditto with ditto No. 1934, of the 14th idem. — 5. Ditto ditto No. 129, dated the 15th March last, on the claim to a pension of Vishnoo Huree Oke.

Ditto to ditto with ditto No. 1931, of the 14th idem. — 6. Ditto ditto No. 132, dated the 17th idem, on the claim to a pension of the son of the late Yeshwunt Rao Babur.

Ditto to ditto with ditto No. 1930, of the 14th idem. — 7. Ditto ditto No. 137, dated the 19th idem, on the claim to a pension of Madhow Rao Powar.

4th.—That my report on the case of Moreshwur Dixit's Palanquin allowance, No. 327, dated the 21st September 1852, referred to by Mr. Warden, was not intended (paragraphs 132 to 134 of this letter fully explain this) in any way to place opinions in competition with or in opposition to those of Mr. Elphinstone, but merely to point out that the Honorable Court of Directors had, on grounds which (*i. e.* a Sunud declaring the grant " perpetual," or to be continued always—नेहमी—on hereditary tenure), as recorded, did not, apparently, exist, recognised an hereditary title where Mr. Elphinstone *had not done so.*

5th.—That in the case reported on in Captain Cowper's report No. 114, of the 7th March 1853, and in others which have yet to be brought to notice, it is not Mr. Elphinstone's decisions, but *alterations of Mr. Elphinstone's record,* which are questioned, and that in these cases, Mr. Elphinstone's lists afford correct information regarding the history of the grant, but the *revised lists do not.*

6th.—That in Moreshwur Dixit's case Mr. Elphinstone never passed any opinion at all.

106. In his 32nd paragraph Mr. Warden thus refers to certain of the Surinjams:—

" And if Captain Cowper would address himself to the task of discovering the political considerations which prompted Mr. Elphinstone in his mode of dealing with these twenty cases, and thereon propose a return to the original liberal decisions,* he will do good service to the public."

* I would observe that *all* Mr. Elphinstone's decisions were subject to confirmation, which *they all received to the same extent,*—*i. e.* continuance for life. This is especially adverted to by the Honorable Court in the 14th paragraph of their despatch No. 9, of the 7th February 1838, and in the 2nd paragraph of a subsequent despatch, No. 17, of the 26th October 1842.

Passing over the improbability of my discovering at this late date political considerations which influenced Mr. Elphinstone, and which Mr. Warden's own ability and experience have not enabled him to discover, and passing over, also, the apparent impossibility of my attempting even to do so, without entangling myself in the very inquiry into Mr. Elphinstone's motives which Mr. Warden so greatly deprecates (paragraphs 28, 30, and 31),—passing over all this, it seems only necessary to explain in how far the course recommended by Mr. Warden, as one by adopting which I should do good service to the public, differs entirely in principle from the course which, as at present instructed, I understand it to be the desire of Government I should follow.

107. In the first place, the interests of "the public" I understand to be those of the country at large, and of the mass of its people, of whom the Surinjamdars form a very insignificant numerical fraction. Government I apprehend to be the paramount authority in whose hands the interests of all classes are placed. And the object of Government I have always conceived to be to ascertain, through its officers, the particular claims of each class, with a view to the equitable consideration of all.

108. Such being the view I take of this subject, it follows that good service to "the public" is not in my opinion necessarily synonymous with good service to the Surinjamdars, and that it may, indeed, so happen that the two interests are directly adverse the one to the other.

109. Next, as regards my own especial duty,—am I to consider it a part of that duty to endeavour to substantiate claims to alienations in perpetuity of the public revenue, or am I to confine myself to a strictly impartial trial of all such claims brought forward, extending to claimants the benefit of doubts, and noticing all points or evidence in their favour which, though unknown to, or undiscovered by themselves, may incidentally come to my own knowledge?

110. There are a few words of explanation I wish to offer in regard to *Inam* cases, in which it is not *a report* which I have to submit for the consideration and orders of Government, but *a decision* which I am called upon to pass, subject to eventual appeal to them. Here (*i. e.* in Inam cases), should doubt arise, and that doubt be of a nature not properly referable for the interpretation of Government (Act XI. of 1852 provides that in certain cases Government may be thus referred to previous to decision), I should, as a general rule, decide on the doubtful point *against* the claimant, leaving it to the Inam Commissioner and to the Government to reverse my decision in appeal, and enabling them to do so, if requisite, by recording the doubtful point most fully in all its bearings. Such a course seems to me necessary, because I deem it of very great importance that Government should not be obliged to reverse the decisions of its own officers, when passed in favour of claimants.

111. There *may* be some who, as supposed by Mr. Warden (paragraph 33), think that Mr. Elphinstone "worked in the dark"; but this class of thinkers must be small, and the only method by which their opinions could for a moment gain even partial credence would be that of noticing, and thereby giving them a publicity otherwise unobtainable. But I would not be understood to shut my eyes to the fact that thirty-seven years' experience must have unfolded much which it would not be correct to say "escaped" Mr. Elphinstone, but which, humanly speaking, it was not possible for him at that time, and on the first occupation of a large and newly conquered country, to become acquainted with. While, on the one hand, I apprehended that on all questions of local knowledge, and of acquaintance with the men and history of the period in which he played so conspicuous and honorable a part, his opinions must remain as the safest guide and land-mark for those who have succeeded him; on the other, I cannot but think that the changes and improvements of a third of a century, of which Mr. Elphinstone laid the foundation, and for which his own administrative talents paved the way, may, and probably have, progressed much more rapidly than even he anticipated when recording suggestions for the guidance of a succeeding generation.

112. I avail myself of this opportunity to assure the Government that the principles to which Mr. Warden in his 34th paragraph attaches great importance are those upon which I have always* acted, and those which each day's experience teaches me to consider the only safe ones; believing Mr. Warden's opinion to apply more or less to official work of every description, I have found it especially applicable to the duties of the Inam Commission, which demand an acquaintance with the records of past years and with previous proceedings, only to be acquired from various quarters, and involving constant and laborious search but too frequently unsuccessful. It seems a curious coincidence that inquiries of this very nature should have so lately placed me in possession of Mr. Elphinstone's recorded orders on the subject of Inams (adverted to in the 33rd and 34th paragraphs of Mr. Warden's letter) which I brought to your notice in my letter No. 81, of the 15th February last, and which are drawn up with the clearness and minuteness characteristic of his official writings. This does not seem the place to discuss the nature of these orders; it appears sufficient to state that they distinctly define the principles upon which Mr. Elphinstone's settlement was made, and which he laid down for the guidance of his subordinates.

113. I have now, I believe, pointed out how the principles upon

* I would solicit reference to my report, No. 651, of the 22nd December last, on the subject of the Chouth Jagheerdars, as affording one instance in which I have done so, and in which valuable information was thus obtained.

which I am conducting my inquiries differ from those recorded by Mr. Warden, and I have endeavoured to do this in a form which will enable Government readily to perceive the points of difference, and to issue any additional instructions which may appear requisite ; it remains only to afford as succinctly as possible the history of Moreshwur Dixit's Palanquin Surinjam allowance, and I shall then, I believe, have complied fully with the instructions received in your letter under reply.

114. In Suba Seetain (A. D. 1766-67) an allowance for a Palanquin, of Rs. 1,000 per annum, was granted by the fourth Peshwa, Madhow Rao Bullal, to Vereshwur Dixit, the Government manager (Komavisdar) of the Purguna of Chaleesgaum, in Khandeish, and he was authorised by the Sunud to deduct the amount regularly (Néhemee, नेहमी) from the revenues of the Purguna: the form of address used in this and in the two Sunuds hereinafter mentioned (paragraphs 116 and 118 of this letter) is that adopted in addressing a "Gruhusth" or gentleman. (See paragraph 76 of this letter.)

115. Forthcoming accounts of the late Government show the above grant to have been carried into effect, and the yearly allowance to have been drawn and charged until Khumus Subain (A. D. 1774-75), in the name of the original grantee, Vereshwur Dixit; the amount is shown to have been paid in some years in cash, and in others partly in cash and partly by assignments of land.

116. Vereshwur Dixit died about Khumus Subain (A. D. 1774-75), and in that year a Sunud was issued by the Peshwa, Madhow Rao Narayen, continuing the allowance to Vereshwur's son, Yedneshwur, and directing its payment regularly (Néhemee, नेहमी).

117. The forthcoming accounts show the grant to have continued in force from A. D. 1774-75 to 1808-09, but they also show the continuance to have been latterly a mere *nominal one*, as from A. D. 1803-04 to 1807-08 Yedneshwur Dixit is shown to have received *nothing at all*, the *villages* on which the assignment was made being deserted, and the whole district in scarcely a better condition. In A. D. 1808-09 the same state of things seems to have existed, though it is not expressly stated to have done so.

118. In or about Teesa Myatain (A. D. 1808-09) Yedneshwur Dixit died, and the allowance was continued to his son, Moreshwur (the present incumbent), by the last Peshwa, Bajee Rao, whose Sunud directs the payments to be made as heretofore (Peshjee prumané, पेशजी प्रमाणे).

119. In A. D. 1809-10 the two villages from which a portion of the allowance was paid were deserted. Moreshwur Dixit, however, got something in this year as a cash payment, but very little,—only Rs. 25. In A. D. 1810-11 he got the same amount,—Rs. 25.

120. There are no accounts of management of a later date forth-

coming, but the records contain an estimate of the revenues of Khandeish for 1815-16, in which the original allowance of Rs. 1,000 is charged in Moreshwur Dixit's name, partially (Rs. 341-4-0) as a cash payment, and partially (Rs. 658-12-0) as the amount of the Jagheer and Surdeshmookee Umuls of the villages of Pimpree Khoord and Sherusgaum. There are, therefore, no accounts forthcoming to show what the actual receipts were from A. D. 1810-11 to 1817-18, but it is not probable that they could have greatly increased, as Khandeish, when it became a British province, had scarcely, if at all, recovered from the combined effects of Holkar's invasion in 1802-03 and of the famine which followed.

121. This Surinjam was included in Mr. Elphinstone's lists, under the head of "Kitta" or miscellaneous, No. 10, but it turns out (see paragraphs 28 to 32 of this letter) to be one of many regarding which Mr. Elphinstone submitted no recommendation; it was entered in his lists merely as "to be continued."

122. In the detailed statement (see paragraph 136 of this letter) of Jagheers prepared by Mr. Elphinstone's Secretary, Mr. McDonnell, this Surinjam is *not to be found at all.*

123. In the lists prepared in A. D. 1834 (see paragraphs 51 to 53 of this letter) this Surinjam was entered in the class of holdings described as "granted between the conclusion of the Treaty of Bassein and the accession of the British Government into the Deccan; to be resumed on the death of the present incumbent." The above entry was, however, clearly made by mistake, as in the body of the lists the date of original grant was shown to be "A. D. 1766."

124. In A. D. 1841 Mr. Mills, the Agent for Sirdars, submitted lists (see paragraphs 54 and 55 of this letter) in which Moreshwur Dixit's Surinjam was entered as one of those recommended to be resumed at the death of the then holders.

125. In Mr. Warden's lists (see paragraphs 55 to 57 of this letter) of A. D. 1844 this Surinjam was entered (No. 21 of Class II.) as one entitled, under the Rules laid down by the Honorable Court, "to be continued to the second, and the prescribed pension granted to the third generation"; and it was further made (No. 3 of Class VII.) a special case and recommended for hereditary continuance, the reasons assigned being,—"This grant is entered here because the Sunud on which it is held declares it to be perpetual."

126. The view Government took of the above entry was recorded in a minute of Sir G. Arthur's, dated the 21st April 1846 (paragraph 4 of *précis* of the past proceedings of Government, which accompanied the Chief Secretary's letter to Mr. Warden, No. 4401, of the 9th October 1852), to have been,—

"Mor Dixit Munohur holds a Surinjam of the annual value of Rs. 491-5-6, which Mr. Elphinstone recommended should be considered a life-grant; this Surinjam is stated to have been conferred in the year 1766. Mr. Warden states that in the Sunud under which this Surinjam is held, this grant is declared to be perpetual; the orders of the Honorable the Court of Directors should, therefore, be solicited whether, as now proposed by Mr. Warden, this Surinjam is to be considered an hereditary grant."

127. A revision of Mr. Warden's lists having been ordered (Chief Secretary's letter No. 1896 dated the 9th May 1846), the Agent, Mr. Brown, submitted revised lists in A. D. 1847, in which Moreshwur Dixit's Surinjam was entered No. 16 of Class II., as entitled, under the Rules laid down by the Honorable Court,—

"To be continued to the second, and the prescribed pension granted to the third generation."

The column of "Remarks" contained the following statement :—

"The date of original grant, Suba Seetain (A. D. 1766), is taken from a Sunud in possession of the Surinjamdar, and which is, moreover, registered in the Peshwas' Duftur; it specifies that this grant should be considered hereditary."

In the 15th column of the above entry (No. 16 of Class II.) Mr. Elphinstone's reasons for making the grant are entered as—"To be continued for life."

128. The Surinjam was further included (No. 2 of Class VII.) in the list of cases deemed special by Mr. Brown, for reasons thus recorded in the 15th paragraph of his transmittory letter, No. 178 dated the 26th October 1847 :—

"With reference to No. 21 in Mr. Warden's revised list above alluded to, and which is recorded in Class II. under No. 16, and in list 7 under No. 2, of my revised lists, Moreshwur Dixit Munohur's claim for his Surinjam being made perpetual rests on a Sunud dated 1776, which he possesses, in which it is shown that this Surinjam should be hereditary; it, therefore, rests with the Honorable Court to give effect or not to the purport of this Sunud."

129. Government having called for further information in regard to the grants recommended to be made special (paragraph 6 of Chief Secretary's letter No. 1447 dated the 7th April 1848), it was afforded in a "tabular statement" forwarded with the Agent's letter No. 187 of the 22nd August 1848, the following extract from which refers to Moreshwur Dixit's case :—

"The mother of the ancestor of this incumbent was a sister of the mother of Ballajee Bajee Rao, and the wording of this Sunud

expressly mentions that this Surinjam should always (नेहमी) be continued on hereditary tenure, which gives weight to the claim of this individual that his Jagheer should be continued hereditarily."

This tabular statement also showed Mr. Elphinstone's reasons for making the grant to have been—" To be continued for life."

130. The grounds on which Government recommended Moreshwur Dixit's Surinjam for hereditary continuance were explained in the following terms, in a Minute of Sir George Clerk's, written on the 22nd March 1848 before the receipt of the above tabular statement, which, however, made the wording of the Sunud stronger than before (see paragraph 89 of this letter) :—

" Mr. Brown has brought to notice that although Mr. Elphinstone recommended that the Surinjam of Mor Dixit (No. 16 of Class II.) should be continued to that individual as a life-grant only, this individual has produced a Sunud, which is registered in the Poona Duftur, in which it is specified this grant should be considered hereditary. This Surinjam is a grant of the year 1766, and does not, therefore, come within the general Rules laid down by the Honorable Court as conferring an hereditary title: the fact, however, of this grant (which is of the annual value of Rs. 491-5-6) having been assigned to the ancestor of the present incumbent on hereditary tenure is, I consider, with reference to the intentions of the Court alluded to in the preceding paragraph, a sufficient reason for this Government to recommend that the provisions of the Sunud granted to this family should be upheld."

131. The foregoing paragraphs contain, *verbatim*, the reasons submitted to the Honorable Court, who concurred in them and the recommendation grounded on them, in the following terms :—

"In this case the Sunud is of the date of 1766, but is stated to contain (what is rare in such cases) distinct words of inheritance; this Surinjam, therefore, should be hereditary."

132. Such were the circumstances under which, on the 21st September last, I reported on Moreshwur Dixit's Surinjam. In 1844 Mr. Warden had reported (see paragraph 125 of this letter) the *Sunud* to declare it to be "perpetual"; in 1847 Mr. Brown had stated (see paragraphs 127 and 128 of this letter) the *Sunud* to specify that " the grant should be considered hereditary"; and had further explained (see paragraph 129 of this letter) the precise wording of the *Sunud* to be that the Surinjam "should always (नेहमी) be continued on hereditary tenure"; Government had, on the above reports, resolved (see paragraph 130 of this letter) that the grant, although made as late as 1766, should nevertheless be considered an hereditary one, *because*, as it was held under a *Sunud* declaring it to be so, " the provisions of the *Sunud*

granted to this family should be upheld"; and lastly, the Honorable Court had sanctioned (see paragraph 131 of this letter) the hereditary continuance of the Surinjam on *the sole grounds* of the "distinct words of inheritance" said to be contained in the *Sunud*, and had even then added the observation that such words were rare. But when I referred to the Sunud itself, I found that it contained merely the word नेहमी (Néhemee), which had been translated as "always" (see paragraph 129 of this letter), whereas, the Government and the Court had been informed that it contained words signifying "always on hereditary tenure."

133. I thought then, as I think now, that Government must have been completely misinformed, and I reported accordingly (No. 327 dated the 21st September 1852). That "Néhemee" ought not to have been construed as "perpetual," or as "always on hereditary tenure," is I think undoubted, for reasons which I have explained at length in paragraphs 79 to 82 of this letter: in the last interpretation afforded to Government, the Murathee word was introduced in the original character, and translated as "always," and so far there was nothing to object to; *but other* English words, ("on hereditary tenure,") for which there were no corresponding words whatever in the Murathee original, were added, and *these were the words* described by the Honorable Court as "distinct words of inheritance."

134. My report on Moreshwur Dixit's Surinjam was referred by Government to Mr. Warden, who has explained (see paragraph 69 of this letter) his reasons for thinking that the case should be made a special one, and that the Surinjam should be declared hereditary. My opinion on most of these points differs (paragraphs 70 to 87 of this letter are explanatory of this) from that of Mr. Warden, and most of them have never previously been brought forward nor discussed. I have already fully adverted to this in previous portions of this letter (see paragraph 88), and it only seems necessary to add that they do not, apparently, affect my original report on this case. Even supposing that Mr. Elphinstone had not left it an open one, his recommendation could not have affected the reasoning by *which alone* the Honorable Court of Directors were induced to declare the Surinjam hereditary, for the reasoning to which I refer had not the slightest connection (either supposed or stated) with any act or recommendation of Mr. Elphinstone,—"The wording of the Sunud expressly mentions that this Surinjam should always (नेहमी) be continued on hereditary tenure."

This was the reasoning which I questioned in my first report; the only material point at issue, and brought forward by me, was whether such a Sunud existed or not, and this material point does not seem to me at all affected by the information now afforded by Mr. Warden.

135. Mr. Warden has pointed out an error into which I fell, in

believing Mr. Elphinstone to have disposed of Moreshwur Dixit's case; and Government, I may observe, appear to have supposed (see paragraphs 126 and 130 of this letter), as I did, that Mr. Elphinstone had recommended that the Surinjam should be continued for life. It seems, however, fortunate that the subject has now been discussed, for the discovery (see paragraph 31 of this letter) that not one-half of the cases which Mr. Elphinstone's lists contain were, from various causes, disposed of or inquired into by him, must, I apprehend, have an important bearing on all future, even should it not affect past proceedings.

136. Mr. Warden does not agree * in thinking that this Palanquin allowance should have been designated a Nemnook rather than a Surinjam: that it should be called a Surinjam, although the Peshwa's Sunud refers to it as a Nemnook, may be readily conceded without affecting the real question at issue, and, entertaining this belief, it would remain merely to acknowledge the correction; but Mr. Warden has also expressed an opinion in paragraph 26 of his letter, that because the Palanquin allowance was considered a Surinjam by Mr. Elphinstone and granted by him on the Surinjamee tenure, "without violation of the public faith, it cannot now be called anything else." In this opinion I am not able to concur,—in this particular case, because Mr. Elphinstone did not inquire into it at all, and, generally, because I am under the impression (see note to paragraph 106 of this letter) that the public faith stands pledged in regard to Mr. Elphinstone's lists *only* to the extent of continuing *for life* the holdings therein entered. I much doubt whether Mr. Elphinstone ever intended that this allowance should be inserted in his lists at all, and I think it most probable that it found a place there owing to the hurry (see paragraph 32 of this letter) in which the lists were completed: its non-entry (see paragraph 122 of this letter) in Mr. McDonnell's statement is remarkable, and the more so as Mr. Elphinstone distinctly informed the Governor General in paragraph 5 of his despatch dated the 25th October 1819, that the whole investigation had been "committed to Mr. McDonnell, who proceeded to compare the statements of the Jagheerdars with those drawn up in the Duftur, checking both by the accounts received from the Collectors." The only conclusion at which I can arrive is that this allowance must have been purposely excluded from Mr. McDonnell's statement, and inadvertently entered in Mr. Elphinstone's lists.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

* In the 8th paragraph of Captain Cowper's report No. 327 of the 21st September 1852, it was stated that "the allowance shown in the lists as a Surinjam is distinctly entered as a 'Nemnook' in the Sunud."

STATEMENTS A TO F,

BEING

ACCOMPANIMENTS TO CAPTAIN T. A. COWPER'S LETTER

DATED POONA, 2ND MAY 1853.

Statement A (to accompany Captain T. A. Cowper, *Assistant Inam Commissioner's Letter No.* 163, *of the* 2*nd May* 1853), *of Inams resumed by the Peshwas' Government by Sunuds or Orders, which are registered or quoted in forthcoming State Records, Diaries, Ledgers, &c.*

Number.	Date of the Registry of the Sunud, or other Document referred to.		Description of resumed Inam.	From whom resumed.	On what account resumed.	Remarks.
	Arabic.	A. D.				
1	11th Rubee-ool-Awul, Khumus Seetain.	1764-65	Inam land, and shares of revenue (Umul) in the village of Diggee, in the Newaseh Purguna.	Krishnajee Nikkum Silledar.	For quitting the Peshwa's camp without permission.	
2	3rd Zilhej, Teesa Seetain.	1768-69	Land in the village of Ghotowreh, in the Konkun.	Bhaskur Keshow Joshee Kumlakur.	No reason assigned.	
3	18th Sufur, Sulas Subain.	1772-73	A portion of the village of Tullegaum, in the Trimbuk Purguna.	Balajee Huree Joglekur.	Stated to be an offence of the most heinous nature, but not specified.	The whole village was at first resumed, but on the relatives of the offender representing their innocence of any crime, *their shares* were restored.
4	21st Rubee-ool-Awul, Arba Subain.	1773-74	Land in five villages in the Konkun.	Ramchunder Wittul	For serving with Rugoonath Bajee Rao (Raghoba).	This Sunud must have been issued by one of the Ministers who opposed the pretensions of Raghoba, as it is dated during the period which elapsed between the

						murder of Narayen Rao Bullal and the birth of Mahadoo Rao Narayen, and during which Raghoba was *de facto* Peshwa.
5	1st Rubee-ool-Awul, Arba Subain.	1773-74	Land in the hamlet of Bhakudwaree.	Yessajee Doomal .	Ditto ditto	This resumption must have taken place as above; the date of the Sunud is quoted in the ledger for the year Khumus Subain (A.D. 1774-75).
6	29th Zilhej, Suba Subain.	1776-77	The village of Purlee, in the Seeheemahal Turuf.	Trimbuk Suryajee..	Joining the standard of the impostor who personated Sudasew Rao Bhow, the Peshwa's cousin, who fell in the battle of Paniput.	
7	29th Sufur, Teesa Subain.	1778-79	A share of the Inam village of Darowlee, in the Pour Khora Turuf.	Bhagoojee Balkurdey.	Disobedience of the orders of the Government. सरकारा शी रुजु नाहीं. Surkara she roozoo nahee.	
8	17th Sufur, Teesa Subain.	1778-79	Four Inam villages in Prant Poona.	The Minister, Succaram Bhugwunt.	No reason assigned	This was the act of the rival Minister Nana Furnavese, the Peshwa being then an infant.
9	Teesa Subain	1778-79	The Inam village of Sawah, in the Mhar Purguna.	Bulwunt Rao Mulhar.	Because *his brother* had not paid a fine imposed on him by the Government.	This is an entry in the ledger bringing the proceeds of the village to the account of Government, for the reasons assigned in the preceding column.

Number.	Date of the Registry of the Sunud, or other Document referred to. Arabic.	A. D.	Description of resumed Inam.	From whom resumed.	On what account resumed.	Remarks.
10	Teesa Subain	1778-79	Land in the village of Murdah, Praut Waee.	Bullee Annajee ..	For having surreptitiously included in his Inam land that belonged to another person.	This is an entry in the ledger bringing the proceeds of the village to the account of Government, for the reasons assigned in the preceding column.
11	18th Rubee-ool-Awul, Sumaneen.	1779-80	The village of Askhar Khoord, in the Joonere Praut.	Narayen Joshee, Nurhur Joshee, and Gopal Joshee, the sons of Krishna Joshee.	No reason assigned	Another Sunud, dated four days later, orders the seizure of the whole of the private property, house, &c. of one of the brothers, Gopal Joshee.
12	Ditto	1779-80	Inam land in the Poona and Kuryat Mawul districts.	Ramajee Bugajee, & Dajee Gopal and Ballajee Ragoonath, Deshpandeys of Praut Poona.	Ditto ditto	A portion of the Wutun also resumed by the same Sunud.
13	3rd Rubee-ool-Akhir, Sumaneen.	1779-80	Three villages in Purguna Newaseh.	Kwajeh Mahomed Khan Kuveejung.	Improper conduct .... वर्तणूक यथास्थीत नाही. Wurtnook yéthăsteet nahee.	A Surinjam was resumed at the same time, and both it and the three Inam villages were by the same Sunud transferred to the son of Kwajeh Mahomed Khan on

						the payment of a relief (Nuzur) of forty-five thousand and one rupees.
14	Sulas Sumaneen..	1782-83	Inam land in the Talooka of Viziadroog.	Luximon Morar...	Because his nephew, Ramchunder Narayen, had joined Raghoba.	This is an entry from the ledger bringing the proceeds of the resumed Inam to account.
15	Ditto ..	1782-83	The village of Vuleh, in the Waghera Purguna.	Dewjee Owdut Rao.	Misconduct. (अंतर)...... (Untur.)	Ditto ditto.
16	22nd Jummad-ool-Awul, Sulas Sumaneen.	1782-83	Fifty-seven Inam villages...	Sukoobaee Sindia, the aunt of Mahadajee Sindia.	In liquidation of a sum due by the Inamdar to a banker.	These villages were subsequently restored.
17	15th Mohurum, Sulas Sumaneen.	1782-83	The village of Jambowlee, in Kullian Prant.	Baljoshee Kirkeeray.	No reason assigned.	
18	9th Rubee-ool-Akhir, Sulas Sumaneen.	1782-83	Three villages, and land in seven others.	Ram Rao Jewajee Chitnees, and other of his relatives.	Ditto ditto	A Surinjam held by them was also resumed by the same Sunud.
19	7th Sufur, Arba Sulas Sumaneen.	1783-84	A large Wutun, extending over twenty-five districts.	The widow of the Deshmook of the province of Dowlutabad, &c.	The adoption without the sanction of Government of a son by the widow of the late Deshmook.	The Deshmook was also Deshpandey, and the latter Wutun was also resumed.
20	2nd Jummad-ool-Awul, Araba Sumaneen.	1783-84	The village of Bunnolee, Turf Koodall.	Ramsing Mohitay.	1*st.*—For not producing the Sunud from the Raja of Sattara, on which the Inam was stated to be held; 2*nd*, for not paying the	

Number.	Date of the Registry of the Sunud, or other Document referred to.		Description of resumed Inam.	From whom resumed.	On what account resumed.	Remarks.
	Arabic.	A. D.				
					shares of the revenue (Umul) of the village belonging to other parties; *3rd*, for withholding the Government dues levied from the village officers.	
21	20th Mohurum, Arba Sumaneen.	1783-84	The village of Waneegaum, Turuf Rajapoor.	Rugoonath Trimbukjee Shet.	For withholding certain monies payable to Government.	
22	Khumus Sumaneen.	1784-85	The village of Verasey, Turuf Wunkhul.	Dipajee Rao Zeroofkur.	Treason	This is an entry from the ledger in which the revenue of the village is brought to account.
23	Eeheday Teesain. .	1790-91	Land in the village of Pal, in the Mhar Purguna.	Neelkunt Rao Prulhad Rajapoorkur.	Having obtained the grant of the Inam by false representation to Government, and by forgery.	Ditto ditto.
24	12th Shuwal, Esunay Teesain.	1791-92	The hamlet of Sheetoley Waree, and shares of the revenue of two villages (Umul).	Nathoojee Shaloonkey.	The death of the holder, and no sanction having been accorded by Government for the continuance to his son.	A Surinjam also resumed by the same Sunud, and on the same account.

25	5th Zilkad, Arba Teesain.	1793-94	Share of the revenue (Umul) of several villages in the districts of Runasee and Koralee.	Deveesing Wiswasrao Tokey.	Conduct not good .... वर्तणूक ठीक नाही Wurtnook teek nahee.	The same Sunud orders the resumption of a Surinjam, also on the same account, and directs the continuance of both it and the Inams to the son of Deveesing.
26	20th Rubee-ool Akhir, Suba Teesain.	1796-97	The village of Waree, in the Julgaum Purguna.	Resumed at the death of Hajee Taz Khan Rohilay.	The death of the Inamdar.	
27	1st Shaban, Suba Teesain.	1796-97	The village of Takley, Prant Waee.	Mhadoo Rao Narayen Pinglay.	No reason assigned........	A Surinjam resumed by the same Sunud.
28	29th Jummad-ool-Awul, Suba Teesain.	1796-97	The village of Mansee, Prant Poona.	Hurbajee Nursew Dhaygooray.	Ditto ditto.	
29	25th Shaban, Teesa Teesain.	1798-99	The village of Seerolee, in the Soopa Purguna, and land in another village in the Baramuttee Kuryat.	Govind Rao Krishna Kalay.	Ditto ditto	A Surinjam also resumed by the same Sunud.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

Statement B (to accompany Captain T. A. Cowper, *Assistant Inam Commissioner's Letter No.* 163, *of the 2nd May* 1853), *of Inams continued to direct and to collateral Heirs, under the authority of the Peshwas' Government, by Sunuds or Orders, which are registered or quoted in forthcoming State Records, Diaries, Ledgers, &c.*

Number.	Date of the Registry of the Sunud or other Document referred to.		Substance of the Sunud, as registered or quoted in the State Records.
	Arabic.	A. D.	
1	Khumsain	1749-50	Bringing to the account of the Government the sum of fifteen hundred rupees, being the amount of a relief (Nuzur) levied from Kwajeh Hameed Khan on sanctioning the continuance to him of the village of Toorkabad, in the province of Bedur, which had been held in Inam by his father, Toork Taz Khan.
2	9th Zilkad, Eeheday Seetain.	1760-61	Sanctioning the continuance, on the payment of a relief (Nuzur) of five thousand rupees, of two Inam villages in territory recently conquered from the Nizam, and then held by the family of Syud Lushkur Khan.
3	16th Shaban, Suba Seetain.	1766-67	Sanctioning, on the payment of a relief (Nuzur) of one thousand rupees, the continuance of a share of the revenue of the village of Kunnair, Turuf Sattara, which had been held in Inam by Appajee Junardhun, and of his Surinjam holdings also, to his brother Balkrishna Junardhun.
4	4th Shuwal, Eeheday Subain.	1770-71	Sanctioning, on payment of a relief (Nuzur), the amount of which was to be afterwards fixed, the continuance to Morar Rao Jadhow Bhooinjkur of one-third of the Inam village of Bhooinj, Prant Waee, and of the Surinjam also, which had been held by his deceased father, Kundeh Rao Jadhow.
5	26th Shaban, Seet Subain.	1775-76	Sanctioning, on payment of a relief (Nuzur) of five lakhs and one rupees, the continuance to Raghooputrao Raja Bahadoor of the Inams and Surinjams held by his deceased father Naro, Shunkur Raja Bahadoor.

Number.	Date of the Registry of the Sunud or other Document referred to.		Substance of the Sunud, as registered or quoted in the State Records.
	Arabic.	A. D.	
6	29th Rubee-ool-Awul, Suba Subain.	1776-77	Sanctioning, on payment of a relief (Nuzur) of four thousand and one rupees, the continuance to Hybutrao Athowlay of a share of the revenues (Umul) of the village of Sheersophul, in the Soopa Purguna, and of Gozayhuvee, in the Baramuttee Kuryat, which had been held in Inam by his deceased father, Soobanrao Athowlay, and also of his late father's Surinjam.
7	14th Zilhej, Teesa Subain.	1778-97	Sanctioning the continuance to Madhow Rao Pettay of the Surinjams and the Inams which had been held by his late father, the Inams consisting of the villages of Chinchnora, Prant Waee, and Bhamoora, Prant Poona, and of land in the village of Kocel, Prant Joonere.
8	16th Rujub, Teesa Subain.	1778-79	Ordering the resumption of the Inams and large Surinjam then held by Raghooputrao Narayen Raja Bahadoor, and transferring them to Trimbuk Rao Narayen Raja Bahadoor (the brother of Raghooputrao), on payment of a relief (Nuzur) of ten lakhs and one rupees.
9	29th Rumzan, Teesa Subain.	1778-79	Sanctioning the continuance to Jeewan Rao Pundit Soomunt of the Surinjam, and of half the Inam village of Riswair, in the Kurrar district, which had been held by his father, Myheeput Rao Pundit Soomunt, deceased.
10	3rd Shuwal, Teesa Subain.	1778-79	Continuing to Huree Pundit Veidhantee the Inam land in three villages of Purguna Indapoor, previously held by his father, Govind Pundit, who had proceeded to Benares.
11	29th Rubee-ool-Awul, Teesa Subain.	1778-79	Continuing, on payment of a relief (Nuzur) of twenty thousand and one rupees, to Abdool Gazeekhan, five Inam villages in Purguna Umber, which had been held by his late father, Hakeem Mahomed Aleekhan.
12	6th Jummad-ool-Awul, Sumaneen.	1779-80	Reciting the death, without male issue, of Bapoojee Luximon Poorundhuree, and the consequent resumption of two Inam villages which had been originally granted to his father, and which the

Number.	Date of the Registry of the Sunud or other Document referred to.		Substance of the Sunud, as registered or quoted in the State Records.
	Arabic.	A. D.	
			Government now allow to be held by Myheeputrao Luximon, the younger brother of the deceased Bapoojee Luximon.
3	21st Rubee-ool-Akhir, Esunay Sumaneen.	1781-82	Continuing to Megusham Rao the Inam village and lands, and the Surinjam which had been held by his deceased father, Nago Rao Megusham.
4	27th Zilhej, Sulas Sumaneen.	1782-83	Continuing to Vireshwur Bhut Kurvey three Inam villages (Madar, Kungola, and Bhadus), and Inam land in the village of Oorsah, which had been held by his deceased brother, and before his death attached by Government.
5	19th Rubee-ool-Awul, Arba Sumaneen.	1783-84	Continuing, on the payment of a relief (Nuzur) of eighteen thousand and one rupees, to Bulwunt Rao Kuddum Banday, the Inams (two villages) and Surinjam which had been held by his late father, Amroot Rao Kuddum Banday.
6	25th Rujub, Khumus Sumaneen.	1784-85	Continuing, on the payment of a relief (Nuzur) of twenty thousand and one rupees, to Narayen Rao Dhumdheray, the Inams (one village, and shares of revenue in three others) and Surinjam which had been held by his late father, Trimbuk Rao Dhumdheray.
7	8th Rumzan, Teesa Sumaneen.	1788-89	Continuing to Anundrao Mulhar the Inams (shares in the revenue of two villages) and the Surinjam held by his late father, Mulhar Rao Krishna.
8	9th Jummad-ool-Awul, Teesain.	1789-90	Sanctioning the continuance of Inam land in the village of Kooshturpun, which had been held by Venkun Bhut bin Rajeshwar Bhut, deceased, to his nephew and sons-in-law.
9	20th Rumzan, Teesain.	1789-90	Deciding on a petition from certain relatives and connexions of the Inamdars of the village of Karungulla, in the Moolwar Purguna, and ordering the continuance of the village to the lineal male descendants of the original grantee, and to them alone, and directing the payment of thirty thousand rupees as relief (Nuzur) on the occasion.
0	Teesain	1789-90	Crediting to Government twenty-five thousand rupees,

Number.	Date of the Registry of the Sunud or other Document referred to. — Arabic.	A. D.	Substance of the Sunud, as registered or quoted in the State Records.
			the amount of relief (Nuzur) paid by Rughoonath Rao Myral Pansé, to whom Government had continued the Inams and Surinjams of his late father and uncle.
21	Echeday Teesain ..	1790-91	Bringing to account of Government fifty thousand rupees, the amount of relief (Nuzur) paid by Krishnajee Thorat, to whom the Inams and Surinjams of his late father, Shivajee Thorat, had been continued.
22	1st Shuwal, Echeday Teesain.	1790-91	Continuing to Jywuntrao Marunwar Futteh Jung Bahadoor a share in the revenue (Umul) of the village of Chincholee, in the Patoda Purguna, which had been held in Inam, and also the Wutun which had been held by his late grandfather.
23	Arba Teesain	1793-94	Bringing to account of Government four thousand rupees, the amount of relief (Nuzur) levied from Sukojee Rajeh Seerkay on his being permitted to succeed to his late father's Inams and Surinjams.
24	11th Sufur, Khumus Teesain.	1794-95	Issuing orders for the expenditure of twenty thousand and one rupees, to be levied from Krishna Rao Shaloonkay, as a relief (Nuzur), and on account of other dues, on his being permitted to succeed to his late father's Inam village and Surinjam.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

Statement C (to accompany Captain T. A. Cowper, *Assistant Inam Commissioner's Letter No.* 163, *of the 2nd May* 1853), *of Inams continued to adopted Sons, under the authority of the Peshwas' Government, by Sunuds which are registered or quoted in forthcoming State Records, Diaries, Ledgers, &c.*

Number.	Date of the Registry of the Sunud or other Document referred to.		Substance of the Sunud, as registered or quoted in the State Records.
	Arabic.	A. D.	
1	11th Jummad-ool-Awul, Teesa Subain.	1778-79	Sanctioning the continuance of the Inam village of Dyhurree, Prant Poona, to Mahadeo Rao, the adopted son of Tookajee Somwounshee, and ordering the payment of a relief (Nuzur) of one thousand rupees.
2	26th Rumzan, Teesa Subain.	1778-79	Authorising the continuance, on the payment of a relief (Nuzur) of six thousand rupees, of four villages which had been held in Inam by Syud Kootubdeen Khan wulud Syud Nooredee Mahomed Khan Bahadoor and resumed on his death without male issue, to his adopted son Imamoodeen Ali.
3	9th Rubee-ool-Awul, Teesa Subain.	1778-79	Sanctioning the continuance of Inam land in the village of War, in the Asseer Purguna, to Kassee Dut, the adopted son of Myheshwar bin Rameshwar Janee.
4	16th Sufur, Esunay Sumaneen.	1781-82	Reciting the previous resumption of the village of Umber Khoord, in the Purguna of Nassick, in consequence of the death, without male issue, of the Inamdar Ramchunder Bhut Khairkur, and the adoption of a son by his widow not having received the sanction of Government, and now according such sanction on the application of the adopted son himself (Moro Bhut), and allowing him to hold the village.
5	2nd Sufur, Arba Sumaneen.	1783-84	Sanctioning the continuance of three Inam villages in the Sattara district to Sudasew Pundit, the adopted son of Goonakur Pundit.
6	Arba Sumaneen ..	1783-84	Bringing to the account of Government twenty thousand rupees on account of a relief (Nuzur),

Number.	Date of the Registry of the Sunud or other Document referred to. Arabic.	A. D.	Substance of the Sunud, as registered or quoted in the State Records.
			or of a portion of a relief, paid on the Government according sanction to the continuance of the Inam village and land which had been held by the late Anundrao Ram to Ram Rao Anunt, adopted by the widow of the deceased Inamdar.
7	27th Zilhej, Seet Sumaneen.	1785-86	Sanctioning the continuance of the Inam village of Velloo, Prant Waee, which had been held by Burhanjee Mohitay, deceased, to Sonjee Mohitay, adopted by the widow of the late Inamdar.
8	Teesa Sumaneen .	1788-89	Bringing to Government account eighty thousand and one rupees, the amount of relief (Nuzur) levied on the recognition by Government of Rung Rao as the adopted son of Myheeputrao Luximon Poorundhuree, and on allowing him to succeed to the Inams and Surinjams held by his deceased adoptive father.
9	9th Rubee-ool-Akhir, Teesa Sumaneen.	1788-89	Acknowledging the receipt by Government of fifty-five thousand rupees, the amount of relief (Nuzur) paid on the continuance of the Inam villages and Wutun of the late Deoshet Veerkur to Mahadshet, adopted by the widow of the deceased Inamdar.
10	20th Rumzan, Teesain.	1789-90	Sanctioning the continuance of Inam lands in three villages, and of the shares of the revenues (Umul) of two others in the Purgunas of Dindoree, Wunn, and Nassick, to Moro Punt, adopted by the widow of the former Inamdar, Mahadowrao Bullal Petch.
11	7th Mohurum, Teesain.	1789-90	Sanctioning, on payment of a relief (Nuzur) of one thousand rupees, the continuance of Inam land in the village of Malgoond, and of a share of the revenue (Umul) of the village of Nimboree and of other lands, all of which had been held by the lade Sudasew Rughoonath Rajwarray, to his adopted son, Rughoonath.
12	Teesain.	1789-90	Sanctioning, on payment of a relief (Nuzur) of four thousand rupees, the continuance of the Inam and Surinjam which had been held by the late

Number.	Date of the Registry of the Sunud or other Document referred to.		Substance of the Sunud, as registered or quoted in the State Records.
	Arabic.	A. D.	
			Deorao Kassee, Mootalik Nyadish, to his adopted son, Kassee Deorao.
13	5th Zilkad, Arba Teesain.	1793-94	Sanctioning an adoption by the widow of the late Appajee Ram Dabholkur, and continuing to the adopted son, Ramrao Appajee, the three Inam villages, exclusive of certain shares of revenue belonging to other parties, which had been held by Appajee Ram.
14	4th Rubee-ool-Akhir, Suba Teesain.	1796-97	Sanctioning the continuance of Inam land in the village of Keshow Rowaché Patun, in Hindoostan, to the widow of Dinnanath bin Purmanund Tirwaree, and authorising her adopting a son to inherit the Inam; also exempting the widow from the payment of any relief (Nuzur) on the occasion.
15	30th Sufur, Suba Myatain.	1806-07	Continuing, on payment of a relief (Nuzur) of twenty lakhs and one rupees, the Inams and large Surinjam held by the late Nursing Khunderao Vinchoorkur, to his adopted son, Wittulrao Nursing.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

Statement D (to accompany Captain T. A. COWPER, *Assistant Inam Commissioner's Letter No.* 163, *of the 2nd May* 1853), *of Inams transferred by gift or sale, under the authority of the Peshwas' Government, by Sunuds or Orders, which are quoted or registered in forthcoming State Records, Diaries, Ledgers, &c.*

Number.	Date of the Registry of the Sunud or other Document referred to.		Substance of the Sunud, as registered or quoted in the State Records.
	Arabic.	A. D.	
1	10th Zilhej, Khumus Seetain.	1764-65	Reciting an application from Moro Gopal to be permitted to hold in Inam the village of Kurrosee, in the Talooka of Chass, which had been transferred to him in gift by the former Inamdar, Krishna Rao Mhadoo Joshee, and ordering the village to be held in Inam accordingly.
2	7th Rumzan, Eeheday Subain.	1770-71	Sanctioning the gift in Inam of some land in the Inam village of Chandooree, in the Nassick Purguna, by the holders of the village to Balajee Luximon Joshee.
3	21st Rubee-ool-Akhir, Eeheday Subain.	1770-71	Authorising a transfer of the Inam village of Rahatowree, in the Kallian Prant, previously made by Rukmabaee, the widow of Gopal Mhadoo Goray (who had been granted it on the death of her husband in battle), to Ramajee Huree Bhiday.
4	5th Zilhej Eeheday Subain.	1770-71	Sanctioning the transfer of 3 beegas of Inam land in the village of Sap, in the Bhewndy Prant, which had been given by Survootum Shunkur Phurkay to Rambhut bin Govind Bhut Phatuk.
5	20th Zilhej, Eeheday Subain.	1770-71	Sanctioning the transfer of a share of the revenue (Umul) of the town of Halgaum, in the Sewgaum Purguna, which had been held in Inam by Sukoobaee Sinday, and made over by her to Kundeh Rao Naique Nimbalkur.
6	24th Rujub, Esunay Subain.	1771-72	Sanctioning the transfer of Inam land in the town of Kullian, in the Kullian Prant, which had been held by Ramchunder Krishnarao Joshee, and given by him to Gungadhur Moreshwur Golay.

Number.	Date of the Registry of the Sunud or other Document referred to.		Substance of the Sunud, as registered or quoted in the State Records.
	Arabic.	A. D.	
7	11th Rubee-ool-Awul, Sulas Subain.	1772-73	Sanctioning the transfer of a share of the revenue (Umul) of the village of Bendalla, in the Umber Purguna, which had been held in Inam by Sugoonabaee Sinday, and given by her to Moro Nurhur Bodray and Vishnoo Nurhur Bodray.
8	1th Zilhej, SulasSubain.	1772-73	Sanctioning a transfer similar to the above, but in another village, by the same person to Moro Bapoojee Phurkay, Gungadhur Abajee Phurkay, Huree Bullal Phurkay, and Dhondoo Bullal Phurkay.
9	9th Jummad-ool-Awul, Arba Subain.	1773-74	Sanctioning the gift of some Inam land in the village of Khanowree, in the Poona Prant, made by Luximon Chintamun Dhurphullay to Mahadoo Rao Krishna Pansay.
10	Arba Subain......	1773-74	Bringing to account of Government two hundred rupees, the amount of relief (Nuzur) paid by Myheeputrao Krishna Chandorekur on his being permitted to purchase, for four hundred rupees from Luximon Chintamun Dhurphullay, some Inam land in the village of Bhambowra, in the Poona Prant.
11	10th Shuwal, Khumus Subain.	1774-75	Sanctioning a gift in Inam made to Anundbhut bin Dhondbhut Chitrao and to Kasseebhut bin Dhonbhut Chitrao by Wittul Sewdeo Vinchoorkur, of some Inam land in his Inam village of Saikhair, in the Nassick Purguna.
12	12th Rujub, Suba Subain.	1776-77	Sanctioning the gift of some Inam land in the village of Bhooinj, made by Bulwunt Bajee Rao to Venkajee Mankeshwur Uslaykur.
13	8th Jummad-ool-Awul, Suman Subain.	1777-78	Sanctioning the gift in Inam, by Tookajee bin Suntojee Somwounshee, of some land in his Inam village of Dyhurree, in the Mawul Turuf, to Myheeputrao Krishna Sathay.
14	9th Shaban, Sect Sumaneen.	1785-86	Sanctioning the gift, by Balajee Junardhun (Nana Furnavese), of some Inam land in the town of Waee, to Rajeshwarbhut bin Konherbhut Nanderkur.

Number.	Date of the Registry of the Sunud or other Document referred to.		Substance of the Sunud, as registered or quoted in the State Records.
	Arabic.	A. D.	
15	1st Rubee-ool-Awul, Suba Sumaneen.	1786-87	Sanctioning the sale by Daood Khan and Hyder Khan of their Inam village of Khoomshet, in the Joonere Prant, to Balajee Mhadoo Bhirray, for the sum of rupees fifteen thousand and one.
16	8th Shuwal, Esunay Teesain.	1791-92	Sanctioning the gift by Balajee Junardhun (Nana Furnavese) of some Inam land in the village of Kurrundee, in the Parneer Purguna, to Suznajee bin Yessajee Goorow Waghmarah.
17	8th Shuwal, Sulas Teesain.	1792-93	Sanctioning the gift by Yeshwunt Gungadhur Chunderchoor of his Inam village of Hewrah Choundal, in the Umber Purguna, to Abbajee Gungadhur Wanowlay.
18	2nd Rumzan, Sulas Teesain.	1792-93	Sanctioning the sale by Mahomed Hoosein-ood-deen wulud Shaik Meerao-ood-deen and others, for the sum of rupees one thousand seven hundred and one, of some Inam land in the town of Akoleh, in the Akoleh Purguna, to Krishnajee Ambadas Sunt.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

Statement E (to accompany Captain T. A. Cowper, *Assistant Inam Commissioner's Letter No.* 163, *of the 2nd May* 1853), *of Inams (some of large and some of small amount) granted by the Peshwas' Government, by Sunuds, the Registries of which are forthcoming among the State Records, Diaries, Ledgers, &c., to persons of rank and influence, and some of whom are shown by the above Records to have been, when the above Grants were made, holding Surinjams or Inams of great value.*

Number.	Date of Registry of the Sunud referred to in the last column of this Statement.		To whom the Inam was granted.	Value of the Surinjam or Inam held *previous* to the Grants specified in the next column.	Substance of Sunud.
	Arabic.	A. D.		Rs. a. p.	
1	25th Rubee-ool-Awul, Sulas Khumsain.	1752-53	Ramajee Anunt Dabholkur.	50,000 0 0	Granting in Inam the three villages of Akalneir, Nuggaum, and Kédle Purmanundachay, valued at Rupees 17,640-1-3.
2	29th Rubee-ool-Awul, Sulas Khumsain.	1752-53	Ramajee Yadow Kouray.	None recorded....	Granting in Inam the four villages of Palsee, Mandweh, Kurrunjgaum, and Gargaum, valued at Rupees 8,265-12-3.
3	29th Rubee-ool-Awul, Sulas Khumsain.	1752-53	Gungadhur Yeshwunt Chunderchoor.	50,000 0 0	Granting in Inam shares of revenue (Umuls) of the seven villages of Gondee, Vyahmandweh, Sangvee, Shidhtekh, Jowkhereh, Dyheegaum, and Gunnegaum.
4	23rd Mohurum, Suba Khumsain.	1756-57	Vittul Sewdeo Vinchoorkur.	3,00,000 0 0	Granting in Inam the town of Vinchoor, in the Chandore Purguna, and the village of Saikhair, in the Nassick Purguna, both together valued at Rupees 9,913-6-0.

5	13th Zilhej, Khumus Seetain.	1764-65	Mulharjee Holkar	99,55,104	7	9	Granting in Inam a share of the revenue (the Jagheer Umul) of the Purguna of Umbur, valued at Rupees 4,36,846-7-9.
6	10th Jummad-ool-Awul, Seet Seetain.	1765-66	Mahadoo Rao Vishwanath Pethay.	12,641	2	0	Granting in Inam the village of Bhambowra, in the Poona Prant, valued at Rupees 886-14-0.
7	27th Rujub, Subain......	1769-70	Myheeput Rao Trimbuk Poorundhuree.	1,29,616	9	0	Granting in Inam land (60 beegas) in the villages of Jejooree, in the Kurreputhar Turuf, and Rak, in the Sasoor Kuryat.
8	21st Jummad-ool-Awul, Eeheday Subain.	1770-71	Naro Shunkur Rajeh Bahadoor.	15,30,353	3	0	Granting in Inam a small quantity of land (one chahoor and a half), the value of which is not stated, in five villages of Purguna Nimbayet, in Khandeish, as an appanage to a Wutun recently purchased by the grantee.
9	11th Rujub, Sumaneen..	1779-80	Mahadjee Sindia	79,79,417	15	6	Granting in Inam a small quantity of land, valued at Rupees 700, in four villages of Purguna Parnair.
10	2nd Rujub, Teesain......	1789-90	Govind Rao Krishna Kalay.	60,000	0	0	Granting in Inam the village of Sherolee, in the Soopa Purguna, valued at Rupees 1,115.
11	17th Shuwal, Sulas Teesain.	1792-93	Huree Bullal Phurkay.	1,95,000	0	0	Granting in Inam a third share (Rupees 1,966-8-0) of the villages of Kurrunjgaum and Latwun, the former in the Nassick Purguna and the latter in the Sooverndroog Talooka, valued at Rupees 5,899-8-0.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

Statement F (to accompany Captain T. A. COWPER, *Assistant Inam Commissioner's Letter No.* 163, *of the 2nd May* 1853*), explanatory of the use of the word* नेहमी *(Néhemee) in Sunuds issued by the Peshwas' Government, and Registries of which are forthcoming among the State Records, Diaries, Ledgers, &c.*

Number.	Date of Registry of Sunud. Arabic.	A. D.	Sunud by what Peshwa issued.	The word नेहमी (Néhemee) how used.
1	21st Zilkad, Sulas Seetain.	1762-63	Madhow Rao Bullal.	Informing the District Officer (Mamlutdar) of Talooka Shewnair that a priest had been ordered to perform certain religious ceremonies at the town of Joonere, and that for this purpose he was to be supplied regularly (Néhemee) with fuel and leaves, and the services of six men, from the date of the receipt of the Sunud by the Mamlutdar to the next Dussera festival.
2	11th Jummad-ool-Akhir, Arba Seetain.	1763-64	Ditto ditto.	Informing the District Officer (Mamlutdar) of the Talooka of Chass that four Government elephants had been sent into his districts, and desiring him to furnish one writer (Karkoon), and to appoint him to the duty of superintending the regular (Néhemee) feeding of the animals.
3	30th Zilkad, Arba Seetain.	1763-64	Ditto ditto.	Desiring the District Officer (Mamlutdar) of the Chass Talooka to supply, as heretofore, thatch for the houses for five Bramins permanently (Néhemee) residing at Bheema Shunkur.
4	12th Jummad-ool-Akhir, Teesa Seetain.	1768-69	Ditto ditto.	Appointing Luxumon Konhere Government Manager (Komavisdar) of three villages in the

Number.	Date of Registry of Sunud.		Sunud by what Peshwa issued.	The word नेमणी (Néhemee) how used.
	Arabic.	A. D.		
				Shirola Purguna, desiring him to collect the revenue, and authorising his deducting regularly (Néhemee) a certain sum on account of his own salary.
5	22nd Jummad-ool-Akhir, Teesa Seetain.	1768-69	Madhow Rao Bullal.	Ordering the Government manager of the village of Anjungaum to pay Rs. 200 on account of Nimbajee Thorat, then on duty in Hindoostan, and to whom it had been previously resolved to grant a regular (Néhemee) allowance (Shet Sunud) of that amount.
6	18th Jummad-ool-Akhir, Subain.	1768-69	Ditto ditto..	Appointing to the situation of Accountant (Furnavese) of Prant Kullian, the son of Ballajee Narayen, who, in consequence of his great age, had been obliged to resign the appointment, and was about to proceed to reside permanently (Néhemee) at Benares.
7	1st Jummad-ool-Awul, Suba Subain.	1776-77	Madhow Rao Narayen.	Directing the restoration of a Surinjam to Balajee Bhoslay, stated in the Sunud to be in the permanent (Néhemee) employ of Naro Krishna, at that time Sursubedar of Khandeish.
8	5th Shaban, Suba Subain.	1776-77	Ditto ditto..	Desiring the District Officer (Mamlutdar) of the Shewneir Talooka to allot permanently (Néhemee) to Neelkunt Chuntamun a piece of hill land yielding two thousand bundles of grass.
9	7th Jummad-ool-Akhir, Suba Subain.	1776-77	Ditto ditto..	Appointing Sukho Mulhar manager (Komavisdar) of the district of Kuryat Mawul, and ordering him to appropriate

Number.	Date of Registry of Sunud.		Sunud by what Peshwa issued.	The word नेहमी (Néhemee) how used.
	Arabic.	A. D.		
				the revenues collected to the use of the fort of Singhur, after deducting "the expenses of collection, and other regular charges." माहाल मजकूर वगैरे Mahal muzkoor wugairé नेहमी नेमणूक खर्च néhemee Nemnook khurch.
10	7th Jummad-ool-Akhir, Suba Subain.	1776-77	Madhow Rao Narayen.	Ordering an increase of pay to the garrison of the fort of Singhur, stated in the Sunud to consist partially of the regular (Néhemee) garrison of the place, and partially of troops temporarily withdrawn from another fort.
11	9th Shaban, Suba Subain.	1776-77	Ditto ditto..	Granting to Keshow Mahadew, the commander of a body of horse, on account of his salary, the village of Wawundala, Turuf Wunkul, exclusive of the fixed (Néhemee) allowance payable from the revenue of the village.
12	30th Shuwal, Suman Subain.	1777-78	Ditto ditto..	Ordering the commander of the fort of Chakun to allot permanently (Néhemee) to Ballajee Ram, a Karkoon in the Government Duftur, a portion of the grass lands of the fort, yielding ten thousand bundles of grass.
13	23rd Zilkad, Teesa Subain.	1778-79	Ditto ditto..	Ordering the District Officer (Mamlutdar) of the Rutnagherry Talooka to pay regularly (Néhemee) out of the revenues of the village of Sewar Ambara, Turuf Pawus, Rs. 225 to the fort of Myheemutghur, and to charge the amount in his account yearly.

Number.	Date of Registry of Sunud.		Sunud by what Peshwa issued.	The word नेहमी (Néhemee) how used.
	Arabic.	A. D.		
11	26th Shuwul, Sumaneen.	1779-80	Madhow Rao Narayen.	Informing the Government manager (Komavisdar) of the town of Pabul that it had been granted in Surinjam to Allee Bahadoor, exclusive of the Mokassa Umul, and the authorised permanent charges (Néhemee Nemnook) on the revenue.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 1991

POLITICAL DEPARTMENT.

From W. HART, Esq.,
Inam Commissioner,

To A. MALET, Esq.,
Chief Secretary to Government, Bombay.

Dated Bombay, 20th May 1853.

SIR,—I have the honour to acknowledge the receipt of your letter No. 1138 dated the 14th March 1853.

2. In paragraphs 11 to 14 of my letter therein referred to, I proposed to follow a certain course with regard to the general questions brought forward by Mr. Warden, as well as the particular case in discussing which they were introduced by him; and I have now the honour of submitting Captain Cowper's report No. 163 dated 2nd May 1853, as at first promised by me, and again called for by your letter under acknowledgment.

3. Captain Cowper's letter now submitted (which is prefaced by a table of contents) will, I think, be found one of the most important documents yet brought under the consideration of Government. The broken state of my health, and the embarrassment under which I am placed, by feeling constrained to disagree, as to several of the points discussed in it, with Mr. Warden, who was my first master in the Judicial branch of the Service, and to whose careful though indulgent supervision as such I owe all the little usefulness I may have since acquired as a public servant, will, I trust, be accepted as my excuse for avoiding any lengthy discussion of these points. Such discussion on my part would, in fact, appear the less necessary, as Captain Cowper has, in his 2nd paragraph, proposed to himself the course of following Mr. Warden *seriatim* through his letter of the 9th December 1852, as the best mode of drawing up the explanation required by Government, who will, therefore, be, by a mere comparison of the letters of Messrs. Warden and Cowper, placed in a position to judge how justly, and how far each affects the Rules which are, or ought to be followed in disposing of the various alienations of the public revenue to which each letter refers.

4. The following synoptical table will show the order in which Captain Cowper has followed Mr. Warden throughout his letter.

Paragraphs of Mr. Warden's Letter.	Corresponding paragraphs of Captain Cowper's Letter.	Paragraphs of Mr. Warden's Letter.	Corresponding paragraphs of Captain Cowper's Letter.
2 and 3	3 to 17	23	89
4	20	24	90 and 91, also 130 to 132
5	16 to 19, and 21 to 26	25	89 and 90, also 127 to 134
6	27	26	88 and 89, also 125 to 134, and 136
7 and 8	28 to 32, and 135		
9 and 10	33 and 34, also 58 and 60	27	92
11 and 12	44, 45, and 101 to 104	28	44 and 45, also 93 to 104
13 and 14	84 and 85	29	88 and 91
15 and 16	69 to 78, and 83, 87, and 88	30	102 to 104
17 and 18	79 to 82	31	35 and 105
19	69 to 88	32	106 to 109
20	70 to 72, and 87 and 88	33	111
21	51 to 53	34	111 and 112
22	55 to 62, and 127 to 129		

5. Captain Cowper may seem to have been somewhat profuse in his quotations from the correspondence on record in the Deccan Commissioner's Office; but, in one respect, his able and valuable report derives great additional value from its profuseness of citation, as it now forms a complete recapitulation of proceedings connected with the much questioned Surinjam lists, from their rough draft by Mr. Elphinstone until their supposed final correction by Mr. Brown; and the Honorable Court of Directors will, I anticipate, find it the most valuable of the materials yet placed before them for enabling them to discriminate (with respect to the alienations of revenue entered in the lists) between their obligation to the Surinjamdars—whether as individuals or as a class—and their duty to the whole community, of whose revenues they are the trustees and administrators,—a distinction noticed in Captain Cowper's 107th and following paragraphs, and set forth in an able though exaggerative leader in the *London Times** of the 9th of February last.

See page 105.

6. With respect to citations of the State records of the former Governments, Captain Cowper has also been profuse; but had he not been so, there would, in those cases in which he has questioned Mr. Warden's positions, have been nothing to have justified Government in attending to him; whereas, he has now fortified all his own positions by the strongest evidence.

7. I would beg the especial attention of Government to Captain Cowper's 94th to 98th paragraphs. Captain Cowper and Mr. Hearn have lately rescued valuable Government Dufturs from the shops of grocers and firework-makers.

8. The fact shown in Captain Cowper's 28th to 31st paragraphs is an important one, as it would appear that Mr. Elphinstone left more than

one-half of the Surinjams entered in the list signed by him without even a recommendation as to the nature of their final settlement. What adds to the importance of this fact is that the Surinjam lists, in their subsequent revisals, appear to have been revised without any regular call for information and proof being made upon the Surinjamdars, and without requiring from each a genealogical statement of his family. This was brought to my notice by Captain Cowper so long ago as the 4th of last January; but, in the then state of matters, I was unwilling to question the Agent's procedure in any case, except in those where there were *primâ facie* signs of error. At the same time I am respectfully of opinion that *no* decision, even in the absence of such signs, can be trustworthy, where the first and most obvious essentials to a complete inquiry have been omitted.

9. From these facts, therefore,—the absence of Mr. Elphinstone's recommendation as to more than half the cases entered in his lists, and the absence of regular statements by the Surinjamdars whose names appear in it, as to the history of their claims and family descent, added to the cases of actual error in the revised lists lately reported by this department,—I can come to no other conclusion than that the whole of the Surinjams entered in those lists should be regularly inquired into; not merely those which at first sight appear to have been disposed of on erroneous grounds, but those, also, in which no such complete inquiry is recorded as to show that the grounds of decision were evidently correct.

10. But a re-investigation of this nature is a work of such delicacy and importance that Government would, I suppose, hesitate at ordering it without renewed instructions from the Honorable Court; and I would respectfully suggest that it might be well to stop further inquiry into the lists until the Honorable Court's instructions are received, and meanwhile to again place the Agent for Sirdars in charge of the records which he temporarily transferred to this department, under the orders of Government to enable it to effect the partial testing of the accuracy of Mr. Brown's revised lists, which has now been made more than doubtful.

11. I hope I may be pardoned for adding to Captain Cowper's remarks, in his 11th paragraph, on the conclusion of Mr. Warden's letter, the following quotation from an article on "Indian Administration" in the *Quarterly Review* for December last:—

"The passages adduced by the *Friend of India* from Munro, Metcalfe, and Elphinstone, reflect the chivalrous generosity of the writers, who, brought into official and social intercourse with the immediate representatives of houses recently powerful, were disposed to feel that the superior stations which they themselves held partook

of the nature of an usurpation; and thus *the exigencies of a changed policy and of altered circumstances were overlooked* in sympathy for reverse of fortune."

12. As this is probably the last occasion I shall have, before leaving the country, to allude to Captain Cowper's work in the Inam Commission, I trust I may be allowed to take the opportunity afforded by having to submit the present sample of it, to record the exceedingly high sense I entertain of his zealous and unflagging industry, and the ability with which he has assisted me—indeed, I may say enabled me—to quietly introduce the several operations of the Inam Commission into the Poona Collectorate, where, it is well known, there are agitators to be found ready to excite discontent and opposition against every public measure. Government is, however, aware how quietly the introduction of this Commission under Act XI. of 1852, and the preliminary collection of Dufturs have been effected in Poona; and for this they are indebted to Captain Cowper's judgment and tact, as well as to his firmness and activity.

I have the honour to be, &c.

(Signed) W. Hart,
Inam Commissioner.

No. 136 of 1854.

Political Department.

To P. W. LeGeyt, Esq.,
Agent for Sirdars in the Deccan.

Sir,—With reference to the 6th paragraph of the Government letter to the address of Mr. W. J. Hunter, dated the 13th August, No. 3471 of 1849, relative to the Surinjam of Moreshwur Dixit Munohur, I am directed by the Right Honorable the Governor in Council to transmit to you an extract, paragraph 18, from a despatch from the Honorable the Court of Directors, No. 55, dated the 12th October last, and to request that you will give effect to the decision of the Honorable Court contained at the close of the paragraph.

I have the honour to be, &c.

(Signed) A. Malet,
Chief Secretary.

Bombay Castle, 11th January 1854.

Extract Paragraph 18 *from a Despatch from the Honorable the Court of Directors, dated the* 12*th October, No.* 55 *of* 1853.

Correspondence respecting the Surinjam of Moreshwur Dixit Munohur, lately recognised as hereditary, and remarks by Captain Cowper and Mr. Hart on the Deccan Surinjams generally.

Para. 18. We consented to recognise the Surinjam of Moreshwur Dixit as hereditary (although of later date than 1751) on the distinct statement by Mr. Warden and Mr. Brown that the Sunud contained words of inheritance. From Captain Cowper's letter dated 21st September 1852, and Mr. Warden's letter of explanation dated 9th December 1852, it appears there were no express words of inheritance, and that the view which Mr. Warden took of the case depended on a disputable and disputed interpretation of the word "Néhemee," stated by Mr. Warden himself to be literally equivalent to "constantly" or "regularly." Considering this circumstance, and also that the Surinjam is a mere Palkee allowance, we are quite satisfied that it ought not to be hereditary.

Article from the LONDON TIMES, *referred to at page* 101.

IN the last number of the *Edinburgh Review* a severe censure is pronounced against the avowed policy of the Indian Government to omit no suitable opportunity of acquiring the territories still in possession of Native powers. The question raised by these observations is so important, and at the same time so practical, that it seems worthy of discussion with reference to wider principles and higher considerations of policy than those which the Reviewer applies to its solution.

From Sind to the eastern extremity of Bengal, and from the most receding indentations of the Himalaya chain to Cape Comorin, the sovereignty of England is supreme, without a rival and without an equal. Whatever be the local Government of this vast territory, we are its paramount lords, its protectors, and its rulers. Our arms must defend it, our policy must guide it, our justice must pervade it, and for its welfare and good government we are responsible before God and man. This responsibility we have gradually, but knowingly and wilfully, taken upon ourselves. We cannot apportion it; we cannot divide it. Prior and superior to all other obligations is our duty towards the whole people of India. We do not, however, as yet, govern the whole of this vast country in our own name: Sovereigns over almost all the sea coast, we have left many rich provinces in the interior still under the nominal dominion of Native rulers. With the exception of the Rajpoot princes, these potentates are not generally of high rank or remote antiquity. Their possessions rest upon a title in general no better than our own,—with this remarkable difference, that though their dominions, like ours, were won by the sword, that sword, unlike ours, is drawn to oppress and not to defend. We have emancipated these pale and ineffectual pageants of royalty from the ordinary fate that waits on an Oriental despotism. The history of Eastern monarchies, like everything else in Asia, is stereotyped and invariable. The founder of the dynasty, a brave soldier or a subtle intriguer, expels from the throne the feeble and degenerate scion of a more ancient house. His son may inherit some of the vigour and talents of his father, but in two or three generations luxury and indolence do their work, and the feeble inheritors of a great name are dethroned by some new adventurer, destined to bequeath a like misfortune to his degenerate descendants. Thus are rebellion and deposition the correctives of despotism, and thus, through the medium of periodical anarchy and civil war, was secured to the people of the East a recurrence, at fixed intervals, of able and vigorous princes. This

advantage we have taken away from the inhabitants of the States of India still governed by Native princes. It has been well said, that we give these princes power without responsibility. Our hand of iron maintains them on the throne, despite their imbecility, their vices, or their crimes. The result is, in most of those Native States, a chronic anarchy, under which the revenues of the State are dissipated between the greedy mercenaries of a turbulent camp and the venal minions of a corrupt and degraded court. The heavy and arbitrary taxes levied on the miserable Ryuts serve no purpose but to feed the prodigality of the meanest and most effeminate of mankind. The political relations of the State—everything, in fact, which does not tend directly or indirectly to the acquisition of a revenue thus profligately squandered, are left to the control and direction of the British Resident. The theory seems to be broadly admitted, that government is not for the sake of the people, but of the King, and that so long as we secure that King in his sinecure royalty, we discharge all the duty that we, as Sovereigns of India, owe to his subjects, who are virtually ours. The treaties concluded with these puppets of our own setting up are quoted, and their rights emphatically relied on, by philanthropic members of Parliament, who never seem to advert to the fact that these treaties have diverted the revenues of these kingdoms from their legitimate uses, and handed over their inhabitants to perpetual slavery. We, on the other hand, are inclined to believe that there is a higher duty towards the people of India than the observance of the letter of treaties made in fraud of their rights,—our duty to protect them from cruelty and injustice, from extortion and oppression,—to provide for them the best government which they are capable of receiving, and to lighten the load of taxation on all by taking care that no part of it is squandered in waste or profligacy. The higher morality cancels and makes void the lower.

But, not only does the policy of maintaining protected Native States tend to the grievous injury of the subjects whom we have betrayed into the hands of these titular Sovereigns,—it also tends to make our yoke press with unnecessary severity on our own immediate subjects. From 1838 to 1849 our Indian revenue has been in one continual deficit, the amount of which is upwards of 15,000,000*l*. There is no country in the world where the want of funds is keeping back so many necessary works as in India. In order to raise even this insufficient revenue, we are compelled to have recourse to the most questionable financial expedients,—to the monopoly of salt, which is a heavy and cruel poll-tax, and to an export duty on opium, a source of revenue which a single gleam of common sense on the part of the Chinese Government, which prohibits its cultivation, would immediately destroy. With all these desperate expedients, our Indian income fails to meet our expenditure. The

reason is obvious. We undertake to defend from foreign attack and domestic insurrection the whole, and to administer the Government with the revenue of only two-thirds of India, the revenue of the other third being wasted on the vices, the pageantries, and the intrigues of paltry Native Courts. While our net revenue amounts to twenty-one millions, the revenue which we suffer to be diverted from the purposes of government, and expended in Native Courts, is computed at no less an amount than thirteen millions. Who gains by this wonderful instance of self-sacrifice? Not the subjects of the Nizam, or the King of Oude, who are bowed to the earth under the weight of Government imposts, and plundered by the mercenary soldier of that which the tax-gatherer has left; not our own subjects, who, after being taxed to the utmost amount of their ability, see their canals dried up, their tanks fall into decay, and their lands smitten with artificial barrenness, because our Government cannot spare one per cent. out of its receipts to keep in repair necessary public works erected by their Hindoo or Mahomedan predecessors; not the people, whose education is withheld, whose internal resources are undeveloped, whose roads are unmade, whose mines are unwrought, because the revenue is anticipated and exhausted by the ordinary and current expenses of administration. The only gainers are the sinecure potentate, the inmates of his palace and his Zenana, his guards, his parasites, his jesters, and his dancers. For them is the mightiest agency for good which PROVIDENCE ever placed in the hands of any nation crippled and paralysed; they revel in abundance and wanton in luxury, while schemes the most benevolent and plans the most far-sighted languish and die out for want of the funds so recklessly dissipated. This state of things may be in accordance with the traditional maxims of Indian policy. Great names may be cited in its support, and ingenious reasons urged for its continuance. To us it appears a scandalous misuse of those opportunities which PROVIDENCE has given us—a gratuitous sacrifice of the helpless many to the worthless few. —*London Times, February 9th*, 1853.]

APPENDIX C.

No. 114 OF 1853.

From Captain T. A. COWPER,
Assistant Inam Commissioner,

To W. HART, Esq.,
Inam Commissioner.

Dated Poona, 7th March 1853.

SIR,—I have the honour, under the instructions contained in paragraph 4 of the Chief Secretary's letter No. 4175 of the 24th September 1852, to report on the Surinjam numbered 50 of Class I. in the revised lists submitted to Government under date the 26th October 1847, by the Agent for Sirdars, Mr. Brown.

2. This holding was entered in the list of Surinjams recommended to be declared hereditary, on the grounds of its having existed previously to the year A. D. 1751, and, thus designated, it was included in the general sanction conveyed in the Honorable Court of Directors' despatch No. 15 dated 22nd May 1849, paragraphs 2 to 12.

3. But the evidence afforded by the records of the Peshwas' Government seems to me clearly to prove that the Honorable Court have passed this decision on erroneous information, inasmuch as neither the Surinjam in question, nor any other Surinjam in lieu of, or in commutation for which the present one was granted, were held previous to A. D. 1751, or *for twenty-six years afterwards.*

4. Mr. Elphinstone's list of Jagheers, transmitted to the Government of India on the 25th October 1819, showed this Surinjam to have been held for *forty-one* years. This agrees with the date of original grant as now ascertained (*i. e.* A. D. 1777-78), supposing Mr. Elphinstone to have calculated up to A. D. 1819, the year in which his lists were framed.

5. By a Sunud the registry of which is forthcoming under date the 13th Rumzan, Suman Subain Mya wu Ulluf (A. D. 1777-78), the Peshwa granted to Trimbukjee Rajeh Bhoslay, *as a new grant, and not in lieu of, or with reference to any previous one,* the "Hoozoor Mamleh" Umuls of the undermentioned two villages, valued at Rs. 2,023-5-0.

1. Moujé Veehay, Turuf Havailee, Prant Kurrar.

2. Moujé Borgaum, Turuf Sattara.

6. In A. D. 1779-80 the abovementioned grant was resumed, and in its stead, by a Sunud the registry of which is forthcoming under date the 8th Rubee-ool-Awul, Sumaneen Mya wu Ulluf (A. D. 1779-80), the Jagheer, Babtee, and Surdeshmookee Umuls of the undermentioned two villages were granted to Trimbukjee Rajeh Bhoslay, at a valuation of Rs. 2,010:—

1. Moujé Meerzapoor, Purguna Danderphul.

2. Moujé Bukterpoor, Purguna Koombaree.

7. This last Sunud did not long continue in force; the villages were resumed in A. D. 1782-83, and the following grant was made, the grounds assigned being that the villages previously granted had been found unproductive. The registry of this third Sunud is forthcoming under date the 15th Rujub, Sulas Sumaneen Mya wu Ulluf (A. D. 1782-83), and grants to Trimbukjee Rajeh Bhoslay, at a valuation of Rs. 1,925,—

1. The Jagheer, Babtee, and Mokassa Umuls of Moujé Danderphul Khoord, Purguna Danderphul.

2. The Jagheer and Babtee Umuls of Moujé Nimbgaum Khoord, Purguna Danderphul.

8. The word Surinjam is not used in any of the above Sunuds; in *each*, however, the grant is described in the same terms, the villages being specified as alienated (Doomalla) for the support of the family of the grantee (Kootoombaché bégmees, कुटुंबाचे बेगमीस).

9. On referring to the Murathee documents recorded by the Agent in this case, I have found nothing relating in any way to the grant of any of the villages specified in my 5th, 6th, and 7th paragraphs, neither does the claimant appear to have made any statement of his case, nor to have furnished any proof, in the shape of Sunuds,—at least, nothing of the kind is forthcoming.

10. In the lists of Surinjams framed by Mr. Mills, the original grant (entered in the lists as No. 48 of Class I.) to Trimbukjee Rajeh Bhoslay is stated to have been made in A. D. 1778,—the correct date, and the one which agrees with Mr. Elphinstone's lists.

11. In Mr. Warden's lists of 1844 the Surinjam (entered in the lists as No. 2 of Class I.) is stated to have been granted "before A. D. 1751," and the column of "Remarks" contains the following entry:—

"The earliest actual grant recorded in the Duftur is dated A. D. 1760; but in this it is said that it existed in the time of the Sattara Rajas."

12. In Mr. Brown's revised lists of 1847, the entry of 1844, described in the last paragraph, is preserved intact.

13. Under the circumstances above reported, this Surinjam, which

is shown by the revised lists to be of the estimated annual value of Rs. 1,497-5-3, should apparently have been, according to the Rules laid down by the Honorable Court, included in the class of Surinjams entitled to continuance for two generations, and a moiety of the net proceeds in money to the third, and should not have been entered as an hereditary holding.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 1929.

From W. Hart, Esq.,
Inam Commissioner,
To A. Malet, Esq.,
Chief Secretary to Government.

Dated Belgaum, 14th April 1853.

Sir,—I have the honour of submitting a letter No. 114 dated 7th March 1853, from my Assistant, Captain Cowper, reporting on the Surinjam entered as No. 50 of Class I. in the revised Surinjam lists.

2. In the absence of Kyfeeuts, &c. noticed in Captain Cowper's 9th paragraph, it is impossible to tell whether it was from the fraud or carelessness of the servants of the Agent's establishment that the erroneous information given in the list was admitted into it; but that carelessness had something to do with its preparation is evident from the fact that in the column of the revised list which proposes to give *Mr. Elphinstone's* reasons for the grant is found the following entry:—

"Class Silledars, No. 11.—Grandfather to the Raja of Sattara. To retain his Jagheer land at Hyderabad ceded to the Nizam. Hereditary."

This entry, which is of course nonsense, I find to be made up of *two* of Mr. Elphinstone's entries, relating to distinct cases,—one the Jagheer of Bhoslay, the other one of a person named Kowree, No. 12 of the same class in Mr. Elphinstone's list.

3. Whether Government decide on continuing Bhoslay's Surinjam according to Mr. Elphinstone's recommendation, or according to the Honorable Court's recent Rules, it is right that they should do so with a knowledge of actual facts. I have, therefore, considered it necessary to submit Captain Cowper's letter, with the above observations on a point not noticed by him.

I have the honour to be, &c.

(Signed) W. Hart,
Inam Commissioner.

No. 2171 of 1853.

Political Department.

To W. Hart, Esq.,
Inam Commissioner.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 1929 dated the 14th ultimo, forwarding one from your Assistant, Captain Cowper, reporting on the Surinjam entered as No. 50 of Class I. in the revised Surinjam lists.

2. You do not appear to have been aware, when addressing the above letter to Government, that "Purushram Rajeh Bhoslay," the last holder of the Surinjam in question, having died without leaving any male issue, orders were issued by Government on the 9th March 1852 for the resumption of the above grant.

3. In making this intimation, I am desired to forward to you copies of two letters from this Department to the Collector of Ahmednuggur, and the Commissioner at Sattara, the former dated the 9th March, No. 1008 of 1852, and the latter dated the 27th January, No. 418 of 1853.

4. A copy of your communication has been forwarded to the Agent for Sirdars in the Deccan, in order that there may be a record in his office of the erroneous nature of the information contained in the revised Surinjam lists of 1844 and 1847 relative to this grant.

I have the honour to be, &c.

(Signed) H. E. Goldsmid,
Secretary to Government.

Bombay Castle, 17th May 1853.

No. 1008 of 1852.

Political Department.

To R. Spooner, Esq.,
Collector of Ahmednuggur.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 154 dated the 20th January last, reporting the death of Purushram Rajeh Bhoslay, who held in the Ahmednuggur Collectorate certain villages in Surinjam, of the estimated annual value of Rs. 1,497-5-3.

2. In reply, I am desired to inform you that the deceased having left no legitimate male issue, the Surinjam in question has lapsed to Government, and, accordingly, to convey to you the directions of His Lordship in Council for the resumption of this grant.

I have the honour to be, &c.

(Signed) A. Malet,
Chief Secretary.

Bombay Castle, 9th March 1852.

No. 418 of 1853.

Political Department.

To T. Ogilvy, Esq.,

Commissioner at Sattara.

Sir,—With reference to my letter No. 4838 dated the 5th November 1852, I am directed by the Right Honorable the Governor in Council to inform you that the Government of India has confirmed the grant by this Government to Goowuntabace, widow of Bulwunt Rao Bhoslay Senaputtee, of a pension of Rs. 50 per mensem, on the distinct understanding that the allowance must lapse entirely and finally on the death of the present grantee.

I have the honour to be, &c.

(Signed) A. Malet,
Chief Secretary.

Bombay Castle, 27th January 1853.

To A. Malet, Esq.,

Chief Secretary to Government, Bombay.

Sir,—I have now the honour to answer Mr. Secretary Goldsmid's letter to my address, No. 2173 dated the 17th May last, transmitting copy of a letter from the Inam Commissioner, with one from his Assistant, relative to entry No. 50 in Class I. of the revised Surinjam lists of A. D. 1847, founded on an entry of No. 2 of Class I. of the lists prepared by me in 1844, the object of the communication being that I should have an opportunity of offering any explanation I may wish relative to the alteration of dates noticed by the Assistant, Captain Cowper.

2. The case is that of Trimbukjee Rajeh Bhoslay, grandfather of the Raja of Sattara, who was placed on the throne by the British Government in A. D. 1818.

3. On the accession of the British Government three villages were found alienated by the Peshwa in Surinjam to this person, the names of which are,—

1. Sherusgaum,
2. Danderphul, and
3. Nimbgaum;

a judicial attachment having been levied on the first, for the recovery of Rs. 6,000 claimed from the family of the grantee on account of the expenses arising out of a family feud.

4. He had also held a fourth village, named Ghargaum, which appears to have been resumed shortly before the conquest of the Deccan.

5. Mr. Elphinstone continued to him the villages of Danderphul and Nimbgaum, of the estimated actual value of Rs. 1,422-13-0.

6. The villages of which the British Surinjam was composed were granted forty-one years before the conquest.

7. The village of Sherusgaum, however, which did not form part of the British Surinjam, was granted before A. D. 1751-52, as proved by the registry of a Sunud (marked A, copy of which, with a translation into English by the head writer of the Agent for Sirdars, is annexed, and which Sunud is referred to by Captain Cowper in paragraph 2 of his letter dated the 27th of August last) conferring a grant on one Raojee Powar, in compensation for the loss of Sherusgaum granted to Bhoslay. This village was never permanently and politically resumed, in the ordinary sense of that word, but it was attached by judicial process, and farmed out by the Government, as will be seen by reference to the Sunud marked B, till the sum of Rs. 6,000 should have been realized from it to reimburse two persons (to one of whom the farm was assigned) who had advanced Rs. 6,000 for the payment and discharge of some irregular soldiery who held two members of the family in confinement at the instance of two others, there being at that time a feud in the family to adjust which the Government interposed. How long the village remained with this farmer is not known, but as the Purguna Newasseh, in which it is situated, had gone greatly to waste for some years, it is probable that the interval between A. D. 1800 and A. D. 1817 did not suffice to discharge the debt with which it was burdened, or the proceeds, as in other cases, were possibly "embezzled" by the public officers in the anarchy that immediately preceded the British conquest; but be that as it may, it so befell that at the British conquest the judicial attachment had not been raised.

8. It is stated in the "Remarks" in my Surinjam list, as respects this grant,—"The earliest actual grant recorded in the Duftur is dated A. D. 1760; but in this it is said that it existed in the time of the Sattara Rajas." This appears to relate to shares of the revenue of the village of Ghargaum, which was released from attachment in A. D. 1760 by a Sunud copy and translation of the registry of which are annexed and marked C. This Sunud, taken in conjunction with the contents of that marked A and the fact of the grantee being a member of the house of Sattara, leaves it beyond debate that the grant was a Sattara grant; and as the Honorable the Court of Directors, in paragraph 9 of their despatch dated October 26th, 1842, directed that all Jagheers which bear dates anterior to A. D. 1751, together with those which are known (as this was certainly known) to be ancient, should be hereditary in the fullest sense of the word, there is no doubt that Mr. Brown's decision, based on my remark, is strictly correct; and that if the grantee had preferred

to take the waste village of Sherusgaum, which formed part of his ancient Jagheer, instead of the more fertile villages of Nimbgaum and Danderphul, of which the Peshwa's and British Surinjams were composed, Mr. Elphinstone would have gladly acceded to a request by which the British Government would have profited.

9. I regret that I should, as in the case of Poorundhuree, reported in my letter dated the 9th of September last, have reason to complain of the manner in which these cases are put before Government by Captain Cowper.

10. I annex my correspondence with the Inam Commissioner on this case, and have submitted copies of all the Murathee documents transmitted to me by Mr. Manson, in order that, if the Government please, they may be translated at Bombay.

11. It will be observed that Captain Cowper in his letter of the 7th of March last, which was submitted to Government with that of Mr. Hart dated the 14th of April, never once mentions the grants of the villages of Sherusgaum and Ghargaum, from the evidence derived from which the Surinjam found its way into Class I.; but, on the contrary, states (paragraph 3) neither the Surinjam in question, nor any other Surinjam in lieu of, or in commutation for which the present one was granted, were held previous to A. D. 1751; while in his letter to the Inam Commissioner dated the 27th of August last, on my reference dated the 13th, he says (paragraph 2)—"the village of Sherusgaum was granted (on what tenure is not specified) to Trimbukjee Rajeh Bhoslay by a Sunud registered in A. D. 1751-52"; and again (paragraph 6)—"Sewajee Bhoslay appears to have held the village up to A. D. 1799-1800, in which year it is shown to have been resumed by a Sunud." It follows, therefore, that although the grants by the Peshwa were not in lieu of, or in commutation for others, they were held in conjunction with ancient grants, and which was not brought to notice.

12. Again,—the Government will observe, on perusing the Sunud marked B sent to me by Captain Cowper in proof of his assertion that the village was resumed in A. D. 1799-1800 (paragraph 6 of his letter dated the 27th of August last), that the village was not thereby resumed, but that an attachment only was levied on it, of the nature of a judicial process, for the recovery of a sum of money, *and only so long as that money should remain unrecovered.*

13. It is true that the Sunud marked A does not, as observed by Captain Cowper in the 2nd parapraph of the letter of the 27th of August last, specify the tenure, but Captain Cowper has omitted to point out that this omission is supplied by the Sunud B, by which the attachment referred to in the last paragraph was levied, in which the tenure is specified as "Surinjamee."

14. Again,—Captain Cowper tells Mr. Hart (paragraph 5) that two villages, Veehay and Borgaum, were granted "*as a new grant, and not in lieu of, or in reference to any previous one,*" in A. D. 1777-78.

15. The words in *italics* were *italicised* by Captain Cowper himself, and the object of this emphasis was, I presume, to impress on the Government that Bhoslay's claim as a Surinjamdar commenced in A. D. 1777-78, the fact being, as it appears to me, that the ancient grant of Sherusgaum and Ghargaum was at that very time in the possession of the Surinjamdar and his family, and held, according Captain Cowper's own subsequent showing,—one from before A. D. 1751-52 to the British conquest, even according to Captain Cowper himself till A. D. 1800, when it was temporarily attached in consequence of the family feud; and the other *certainly in* A. D. 1752-53, *and perhaps* as early as A. D. 1747-48 (Captain Cowper's letter of 27th August 1853, paragraphs 2 and 8).

16. Captain Cowper's letter to Mr. Hart is principally composed of the account of villages held one year and four years, and then resumed; and adds that in the Murathee documents recorded by the Agent he has found nothing relating in any way to the grant of any of the villages specified by him; and for this obvious reason, that these grants and exchanges were totally irrelevant to the question before me, and only of the least importance as showing the influence of the Surinjamdar in getting good villages exchanged for bad ones,—*the* point before me being the date of the original Surinjam.

17. Mr. Hart's letter handing up Captain Cowper's consists only of the notice of a clerical error in Mr. Brown's lists made in the transcript of Mr. Elphinstone's note, to which note has been joined the note on the case immediately following it. I should have expected from Mr. Hart, instead of talking of the "nonsense" written (as if a clerical error did not generally convert sense into nonsense) and of "carelessness," he would have pointed out—what he can hardly have failed to observe—that in the process of binding Mr. Elphinstone's Surinjam list, part of the notes was bound in *so as to give the two notes the appearance of being one;*—the error of the clerk is so obvious as to have been beneath notice.

18. Mr. Brown's decision is, then, I believe, strictly correct.

I have the honour to be, &c.

(Signed) J. WARDEN,
Late Agent for Sirdars.

Bombay, 5th November 1853.

To C. J. Manson, Esq.

Sir,—In reference to your letter No. 2211 dated the 6th of this month, I have the honour to request you will favour me with authenticated extracts from the Peshwas' Duftur, tracing the alienation of Sherusgaum and Ghargaum from their original grant to their resumption.

I shall also be obliged by your favouring me with authenticated copies of the Sunuds and other documents referred to in Captain Cowper's letter to your predecessor, No. 114 dated March 7th, 1853.

I enclose a Murathee memorandum of these papers.

I have the honour to be, &c.

(Signed) J. Warden.

Poona, August 13th, 1853.

No. 2465.

From C. J. Manson, Esq.,
Inam Commissioner,

To the Honorable J. Warden, Esq.,
Late Agent for Sirdars in the Deccan.

Dated Kirkee, 1st September 1853.

Sir,—I have the honour to acknowledge the receipt of your letter of the 13th August 1853, and, in reply, to forward an original letter No. 411 of the 27th ultimo, with accompaniments, from my Assistant, Captain Cowper.

I have the honour to be, &c.

(Signed) C. J. Manson,
Inam Commissioner.

No. 411 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Poona, 27th August 1853.

Sir,—In returning the accompaniments to your letter No. 2385, of the 17th instant, I have the honour to transmit copies of the registry of the undermentioned Sunuds, referred to in my letter No. 114 of the 7th March 1853.

1st.—A Sunud, the registry of which in the diary of the 13th Rumzan, Suman Subain (A. D. 1778-79), is found transferred to the ledger of that year, granting to Trimbukjee Rajeh Bhoslay, as a new grant, and not in lieu of, or with reference to any previous one, the Hoozoor Mamleh Umuls of the undermentioned two villages, valued at Rs. 2,023-5-0:—

1. Moujé Veehay, Turuf Havailee, Prant Kurrar.
2. Moujé Borgaum, Turuf Sattara.

2nd.—A Sunud, the registry of which in the diary of the 8th Rubee-ool-Awul, Sumaneen (A. D. 1779-80), is found transferred to the ledger of that year, granting to Trimbukjee Rajeh Bhoslay, in lieu of the villages above mentioned, and which were resumed, the Jagheer, Babtee, and Surdeshmookee Umuls of the two villages below named, at a valuation of Rs. 2,010:—

1. Moujé Meerzapoor, Purguna Danderphul.
2. Moujé Bukterpoor, Purguna Koombaree.

3rd.—A Sunud, the registry of which in the diary of the 15th Rujub, Sulas Sumaneen (A. D. 1782-83), is found transferred to the ledger of that year, resuming the villages named in the Sunud last mentioned, and granting in their stead, at a valuation of Rs. 1,925,—

1. The Jagheer, Babtee, and Mokassa Umuls of Moujé Danderphul Khoord, Purguna Danderphul.
2. The Jagheer and Babtee Umuls of Moujé Nimbgaum Khoord, Purguna Danderphul.

2. The village of Sherusgaum was resumed from Ryajee Powar and granted (on what tenure is not specified) to Trimbukjee Rajeh Bhoslay, by a Sunud addressed to one Ragho Govind, and registered in the diary of the 5th Rubee-ool-Akhir, Esunay Khumsain (A. D. 1751-52). A copy of the registry was forwarded with Captain Cowper's letter No. 286 of the 5th July last.

3. The village is entered in the forthcoming accounts of Purguna Newasseh up to the year Suman Sumaneen (A. D. 1787-88), as alienated to Trimbukjee Bhoslay.

4. The accounts for the next year (Teesa Sumaneen, A. D. 1788-89) of Purguna Newasseh show the village as then alienated to Gungajee Rajeh Bhoslay, son of Trimbukjee Rajeh Bhoslay.

5. It appears from the accounts, that at some period between A. D. 1788-89 and 1799-1800, the village must have passed into the hands of Sewajee Bhoslay, the son of Gungajee Bhoslay named in the last paragraph; I have not deemed it necessary to delay this letter by a search through all the accounts to ascertain the exact year in which the son succeeded the father, as I presume it cannot affect the inquiry.

6. Sewajee Bhoslay appears to have held the vilage up to Myatain (A. D. 1799-1800), in which year it is shown to have been resumed by a Sunud, the registry (copy is herewith transmitted) of which in the diary of the 16th Shaban, Myatain (A. D. 1799-1800), is found transferred to the ledger of that year.

7. The village from A. D. 1799-1800 up to the latest year for which accounts are forthcoming (A. D. 1816-17) is shown to have been in the hands of the Government.

8. I have now to afford the history of the other village (Ghargaum), which is equally clear in every respect, excepting the *exact* date of grant, which I have been unable to trace. All that I have been able to determine with certainty is that its Swuraj Umul, valued at Rs. 955-4-0, was granted to Trimbukjee Bhoslay subsequently to A. D. 1746-47, and prior to A. D. 1752-53. In the former year it is found entered in a list of villages distinguishing those alienated in the name of the first wife of the Sattara Raja, and in the latter, in a similar list, under the general head of "Guards," a document (an account of management of Purguna Ranjungaum) of a still later date (A. D. 1754-55), showing it as alienated to Trimbukjee Bhoslay, and showing, also, that he was one of the "guards,"—so that he may be considered to have held the Umul, *certainly* in A. D. 1752-53, and *perhaps* as early as A. D. 1747-48.

9. The Swuraj Umul of Ghargaum is shown by a Surinjam memorandum dated A. D. 1771-72 (copy of which is transmitted) to have passed into the hands of Trimbukjee's son, Suntajee Bhoslay, in A. D. 1761-62 (Esunay Seetain).

10. The Swuraj Umul is shown to have continued alienated until A. D. 1805-06 (Seet Myatain), in which year it was resumed by a Sunud registered in the diary of the 29th Mohurum (copy herewith transmitted).

11. From A. D. 1805-06 to the latest year for which accounts are forthcoming (A. D. 1814-15), the proceeds of the Swuraj Umul are shown to have belonged to, and to have been realised by the Government.

12. The history of Sherusgaum and of the Swuraj Umul of Ghargaum is so clear that I have thought it best to submit atonce this letter, under the impression that it will be found to afford all the information the Honorable Mr. Warden requires. Should, however, a transcript of the entry in each forthcoming account of each year, for the last seventy years of the Peshwas' rule, be still wanted, it shall be prepared, but its preparation will take a considerable time.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

To C. J. Manson, Esq.

Sir,—In reference to the 7th paragraph of Captain Cowper's letter of the 27th of last month, which accompanied yours to my address of the 1st of this month, I shall be obliged by your informing me the amount realised year by year by the Peshwa's Government from the year A. D. 1799-1800 to A. D. 1816-17, from the village of Sherusgaum, which in the previous paragraph is said to have been resumed.

Your Assistant may also, perhaps, be able to inform me of the names of the villages, the revenue of which represented the resumption, entered in the name of Trimbukjee Rajeh Bhoslay, under the words "1,200 rupees resumed" in Mr. Elphinstone's Surinjam lists.

I have the honour to be, &c.

10th September 1853. (Signed) J. Warden.

No. 2547.

From C. J. Manson, Esq.,
Inam Commissioner,

To the Honorable J. Warden, Esq.,
Late Agent for Sirdars.

Dated Kirkee, 22nd September 1853.

Sir,—I have the honour to acknowledge the receipt of your letter of the 10th instant, and to forward an original letter, No. 455 of yesterday's date, from my Assistant, Captain Cowper, affording, as far as practicable, the information required by you regarding the village of Sherusgaum.

I have the honour to be, &c.

(Signed) C. J. Manson,
Inam Commissioner.

No. 455 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Poona, 21st September 1853.

Sir,—I have the honour to afford, as far as practicable, the information regarding the village of Sherusgaum called for in your letter No. 2500 of the 12th instant.

2. By the same Sunud (see paragraph 6 of Captain Cowper's letter No. 411 of the 27th ultimo) which resumed Sherusgaum in A. D. 1799-1800, the management (Komavis) of the village was made over to Manajee Sinday. I have been unable to discover how long it remained with him, neither can the results of his management be ascertained, as there are no accounts of it forthcoming from among the Peshwas' records, although it is possible that some may be hereafter discovered among the enormous number of accounts of the late Government which have lately been collected.

3. Up to A. D. 1809-10, whether Sherusgaum remained in the hands of Manajee Sinday or not cannot be ascertained; during either the whole or a portion of this period, however (*i. e.* from A. D. 1800-01 to 1809-10), it is shown by forthcoming accounts to have been deserted (osar).

4. In the *district* accounts of management which are forthcoming for A. D. 1800-01, 1806-07, 1807-08, and 1808-09, Sherusgaum is either deducted as alienated (to whom not specified), or as a deserted village. It is, therefore, probable that up to the lastnamed year it remained under separate management, for which the district officer was not responsible. In the account for 1800-01 this is recorded, and it is stated that no information could be obtained regarding Sherusgaum.

5. In A. D. 1809-10 Sherusgaum had been incorporated with the Government villages in the district (Newasseh), and this is the first year for which accounts showing the realizations of its revenue are forthcoming; Rs. 15 are shown as the amount realized and credited to Government under the head of "Revenue of resumed villages." From the smallness of this amount, it seems probable that Sherusgaum remained deserted up to A. D. 1808-09.

6. In A. D. 1811-12 the amount realized from Sherusgaum is not ascertainable, but that revenue *was* realized, and *by Government*, is shown by an account of management of the Mokassa* Umul of the *district*, in which document the following entry is found :—

"Sherusgaum has now been resumed, but the Government manager will not pay the share of its revenue."

7. For A. D. 1812-13 an account of the nature specified in the last paragraph is forthcoming, and contains a similar entry.

8. In A. D. 1812-13 it is certain, however, that the revenue of Sherusgaum was realized by the Government manager of the district, as in a subsequent account of managenent of his for A. D. 1814-15, the outstanding balance of A. D. 1812-13, amounting to Rs. 2-3-9, is shown to have been realized and credited to Government.

* The Mokassa Umul of the district had been always separately managed and accounted for to Government.

9. For A. D. 1813-14 no account is forthcoming, but it is equally certain that in this year Government realized the revenue of Sherusgaum, as in the account for A. D. 1814-15 referred to in the last paragraph the outstanding balance for A. D. 1813-14, amounting to Rs. 25, is shown to have been realized and credited to Government.

10. For A. D. 1814-15 the account of management referred to in the last two paragraphs is forthcoming, but as the amount realized throughout the district is shown only in the aggregate, the sum which Sherusgaum paid cannot be ascertained.

11. For A. D. 1815-16 no account showing the realizations of the village or district is forthcoming.

12. Accounts of the management of the Peshwa's officer for A. D. 1817-18 cannot, of course, be forthcoming, as, before that year terminated, British rule had been introduced; but the records contain an account showing the amount for which Bajee Rao farmed the *district* at the commencement of the year. This document does not specify the amount at which each village was farmed, but that Sherusgaum was one of them is proved by a detailed memorandum, drawn up at the same time, and showing *in detail* the villages deducted as alienated, Sherusgaum *not* being one of them.

13. I have been unable to ascertain the names of the villages, the revenues of which represented the Rs. 1,200 entered as resumed from Trimbukjee Rajeh Bhoslay in Mr. Elphinstone's lists, although I have availed myself of the assistance of Raojee Pendsay in my endeavours to discover any documents among the records of the Deccan Commission affording the information.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

(True copies)

(Signed) J. Warden,
Late Agent for Sirdars.

No. 31 of 1854.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Poona, 18th January 1851.

Sir,—In returning the Honorable Mr. Warden's letter dated the 5th November last (explaining the circumstances under which the date of

original grant of the Surinjam continued at the conquest of the Deccan to Purushram Rajeh Bhoslay, and which date had been correctly entered in Mr. Elphinstone's list of the Jagheers, was altered in the lists framed by the Agent, Mr. Warden, in 1844, and revised by his successor, Mr. Brown, in 1847; such alteration, moreover, bringing the holding into the class of those entitled to hereditary continuance), which, with a copy of one, No. 5468 of the 20th ultimo, from the Chief Secretary to Government, accompanied your memorandum, No. 2845 of the 22nd idem, I have the honour to submit the explanation called for.

2. One of the first proposals which Mr. Elphinstone, after having in his proclamation of the 11th February 1818 declared the Peshwa's late dominions to have become British territory, made to the Governor General (see Mr. Elphinstone's despatch of the 18th June 1818, referred to in paragraph 36 of Captain Cowper's report, No. 163 of the 2nd May 1853), was that "of providing for the Jagheerdars whom the events of the war had deprived of their power and possessions, by leaving them their *personal* Jagheers"; and this proposal met with the perfect concurrence and sanction of the Governor General in Council (reply, dated the 26th September 1818, from the Chief Secretary to the Government of India).

3. Mr. Elphinstone then laid down certain rules for the guidance of the officers to whom he entrusted the requisite inquiry (forwarded to the Government of India with Mr. Elphinstone's letter of the 25th October 1819); and the 7th of these rules declared,—"No Jagheer not *actually** enjoyed up to the war to be restored, unless specially directed so to be."

4. At an earlier date Mr. Elphinstone had promulgated rules for the continuance of *Inams* (circular to Collectors, dated the 27th June 1818), and with regard even to these holdings of a permanent nature—the Surinjams being for the most part grants avowedly resumable at pleasure—he ordered,—

> "No right to possession is ever intended to be recognised that was not in force at the breaking out of the present war."

5. A general statement of the Jagheerdars' holdings and claims was next prepared by Mr. Elphinstone's Secretary, Mr. McDonnell, "who proceeded to compare the statements of the Jagheerdars with those drawn up in the Duftur, checking both by the accounts received from the Collectors. A complete register was framed on this comparison, showing the name of the holder of each Jagheer, the date and nature of the grant, the situation of the lands, and the sources of the revenue when not drawn from land, with Kumal or highest revenue, the revenue

* *Italicised* by Captain Cowper.

as stated by the Jagheerdar, and actual collections as reported by our officers." (Paragraph 5 of Mr. Elphinstone's letter to the Government of India dated the 25th October 1819).

6. In Mr. McDonnell's statement the Surinjam, the subject of the present discussion, was entered as shown below :—

"No. 11.—Trimbukjee Rajeh Bhoslay Waweekur.

"JAGHEER.

"*Ahmednuggur.*

Monjé Danderphul Khoord	Rs. 1,226	0	0
Monjé Nimbgaum Khoord, Purguna Danderphul.	196	13	0
Total....	Rs. 1,422	13	0
Shet Sunud on Kusba Wawee	Rs. 75	0	0
Total Jagheer....	Rs. 1,497	13	0

"*Note.*—The Surdeshmookee of both the villages and the Mokassa of Neemgaum amounts to Rs. 233-0-3, and belongs to Government."

7. On the 25th October 1819 Mr. Elphinstone reported the completion of the plan (referred to in paragraph 2 of this letter) proposed in his despatch No. 78 of the 18th June 1818, for restoring the personal lands of the chief Ministers and other Jagheerdars of the Muratha Government, and with his despatch submitted a "Statement showing the Jagheers, or compensation in lieu of them, to be continued in the country conquered from the Peshwa."

8. The Surinjam under report was entered in Mr. Elphinstone's statement in the Class of "Silledars," No. 11, as shown below :—

	Name.	Class.	Remarks.	Decision.	Total Amount of the Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued.			For what Period recommended.
							Kumal, or greatest recorded Collection.	Estimated real Value at present.	Pecuniary Pension.	
							Rs. a. p.	Rs.		
11	Trimbukjee Rajeh Bhoslay Waweekur.	Silledars.	.	Grandfather to the Raja of Sattara; to retain his Jagheer; land.	Rs. 1,497, besides resumed by Bajee Rao Rs. 1,200.	41	1,422 13 0	711	..	Hereditary.

9. A "register," showing to whom the Jagheers proposed to be continued by Mr. Elphinstone were actually restored, was submitted with Mr. Chaplin's letter of the 28th October 1822, No. 121, and in this register the Surinjam under report was entered as having been restored to "Purushram Rajeh Bhoslay."

10. In the lists framed by the Deputy Agent for Sirdars, Mr. Warden, and dated the 3rd January 1834, this Surinjam was entered as No. 41 of Class II., the date of original grant assigned being A. D. 1778.

11. In Mr. Marriott's revised lists, submitted on the 6th March 1834, the number assigned to this Surinjam was 46 of Class I. In other respects the entry in the Deputy Agent's lists was preserved.

12. New lists were on the 23rd October 1840 submitted by the Agent, Mr. Mills, and in these the Surinjam of Purushram Rajeh Bhoslay, as No. 48 of Class I., continued to be shown as a grant of A. D. 1778.

13. The principles on which Mr. Mills had framed his lists were pronounced by the Honorable the Court of Directors to be erroneous, and at variance with their intentions. They, consequently, in a despatch, No. 17 of the 26th October 1842, directed that new lists should be prepared, under the following Rules:—

I. (Paragraph 9 of Honorable Court's despatch.)—That "all Jagheers in Class I. of Mr. Mills' list, which bear dates anterior to 1751, be, as Mr. Elphinstone recommends, 'hereditary in the fullest sense of the word,' together with those of which the dates are unknown, but which are known to be ancient."

II. (Paragraph 10 of Honorable Court's despatch.)—"In addition to these ancient Jagheers, all those of more recent date which were granted in commutation for the resumption of more ancient possessions (which is known to have been the case with some) are entitled in like manner to an hereditary tenure."

III. (Paragraph 12 of Honorable Court's despatch.)—That "with regard to Surinjam grants bearing date subsequent to 1751, resumption after a second generation from the conquest, making a pensionary provision equal to half the net proceeds of the Surinjam lands for the generation next succeeding, should be the general rule."

IV. (Paragraph 12 of Honorable Court's despatch.)—That "cases in which Mr. Elphinstone may have recommended a more extended provision" should be separately and specially considered, as also any other cases deemed to require such consideration.

14. Consequent upon these orders of the Honorable Court, the Agent for Sirdars, Mr. Warden, was directed to frame new lists in the Chief Secretary's letter No. 991 dated the 9th May 1843, the 3rd paragraph and the preamble, and the 3rd and 6th clauses of the 4th paragraph of which are below quoted.

"3. I am further directed to request, that in conformity with the orders contained in the despatch from the Honorable the Court of Directors, you will most carefully revise the amended lists of Deccan Jagheerdars submitted to Government by your predecessor, Mr. Mills, in 1840 and June 1841, and remodel with great care those lists on the principles laid down in that despatch.

"4. I am desired to request, that in carrying these instructions into effect you will insert in these new lists separate columns containing the following information in regard to each individual whose name is entered in the lists:—

"*3rd.*—The date of the original grant, as ascertained from Sunuds or other documents, either on the records of the Poona Duftur or in the possession of the family to whom the Surinjam was granted. The utmost care should be taken to guard against any fraud or deception on this point."

"*6th.*—The tenure on which the Surinjam will be held by the incumbent, on the principles laid down by the Court in their despatch dated 26th October last; and in any case in which you may be of opinion that those principles should be departed from, you are requested to submit to Government full information of the grounds on which you may propose such deviation."

15. Mr. Warden's lists were submitted with his letter No. 225 of the 20th December 1844, the 10th and 11th paragraphs of which are as follows:—

"10. As on the occasion of preparing Surinjam lists, the important distinction was not made between grants by the Mahomedan Government and Rajas of Sattara, and those by the Peshwas, I contented myself with assigning, as the period when a grant began to take effect, the date of the earliest grant recorded in the Poona Duftur; but when I have now found these documents assign, as the motive of the grant, that the grantee held a Surinjam in the time of the Rajas of Sattara, I have altered the date of original grant, and placed it anterior to A. D. 1751: 'Jagheers of which the dates are unknown, but which are known to be ancient, as well as those of more recent date, but which were granted in commutation for the resumption of ancient possessions,' being treated by the Court of Directors with as much consideration as grants actually dated before A. D. 1751.

"11. I have, however, been careful not to adopt any date which is not confirmed by the Poona Duftur. These descriptions of claim, then, compose Class I. of Surinjamdars, whose estates are to be hereditary 'in the fullest sense of the word.'"

16. In Mr. Warden's lists this Surinjam was entered as shown below, as No. 11 of Class I.:—

	Name of Original Grantee.	Name of Present Incumbent.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Remarks.
					Rs. a. p.			Rs.			
11	Trimbukjee Bhoslay Waweekur.	Purushram Rajeh Bhoslay.	Ahmednuggur.	Danderphul......	1,238 10 6	Before A. D. 1751.	67 years.	..	None.	Ditto.	The earliest actual grant recorded in the Duftur is dated A. D. 1760, but in this it is said that it existed in the time of the Sattara Rajas.
				Nimbgaum Khoord.	258 10 9						
				Total..	1,497 5 3						

17. Mr. Warden's lists were returned for revision to his successor, Mr. Brown, with the Chief Secretary's letter No. 1896 of the 9th May 1846, in the 8th and 15th paragraphs of which Mr. Brown was specially warned against assigning to *even a single component portion* of a Surinjam any other date than that on which it had been actually granted, and his attention was still further directed in the latter paragraph (the 15th) to this important point in the following terms:—

"Under the column headed 'Remarks,' clear and detailed information should in each case be given in regard to the proofs which exist of the Surinjam having been granted to the family of the holder from the date alleged. In all cases in which you are not perfectly satisfied of the correctness of the alleged date of grant, you are requested to state your reasons for entertaining such doubt."

18. Mr. Brown's revised lists were submitted to Government on the 26th October 1847, and in them Purushram Rajeh Bhoslay's Surinjam was entered, as shown on the next page, as No. 50 of Class I.

Number.	Name of Original Grantee.	Name of Present Incumbent.	Number in the List prepared in 1834.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
						Rs. a. p			Rs.				
50	Trimbukjee Bhoslay Waweekur.	Purushram Rajeh Bhoslay.	No. 46 of Class I.	Ahmednuggur.	Danderphul......	1,238 10 6	Before A. D. 1751.	67 years.	..	None.	Hereditary in the fullest sense of the word.	Class Silledars No. 11.—Grandfather to the Raja of Sattara. To retain his Jagheer land at Hyderabad, ceded to the Nizam. Hereditary.	The earliest actual grant recorded in the Duftur is dated Esunay Khumsain, or A. D. 1751, but in this it is said that it existed in the time of the Sattara Rajas.
					Nimbgaum Khoord.	258 10 9							
					Total..	1,497 5 3							

19. Finding this Surinjam to have been erroneously shown as granted prior to A. D. 1751 in both the lists of 1844 and in those of 1847, I submitted, under the instructions noted in paragraph 4 of the Chief Secretary's letter No. 4175 of the 24th September 1852, a report, No. 114 of the 7th March 1853, which is below transcribed:—

"I have the honour, under the instructions contained in paragraph 4 of the Secretary's letter No. 4175 of the 24th September 1852, to report on the Surinjam numbered 50 of Class I. in the revised lists, submitted to Government under date the 26th October 1847, by the Agent for Sirdars, Mr. Brown.

"2. This holding was entered in the list of Surinjams recommended to be declared hereditary, on the grounds of its having existed previous to the year A. D. 1751, and, thus designated, it was included in the general sanction conveyed in the Honorable Court of Directors' despatch No. 15 dated 22nd May 1849, paragraphs 2 to 12.

"3. But the evidence afforded by the records of the Peshwas' Government seems to me clearly to prove that the Honorable Court have passed this decision on erroneous information, inasmuch as neither the Surinjam in question, nor any other Surinjam in lieu of, or in commutation for which the present one was granted, were held previous to A. D. 1751, or *for twenty-six years afterwards.*

"4. Mr. Elphinstone's list of Jagheers, transmitted to the Government of India on the 25th October 1819, shows this Surinjam to have been held for *forty-one* years. This agrees with the date of original grant as now ascertained,—*i. e.* A. D. 1777-78,—supposing Mr. Elphinstone to have calculated up to A. D. 1819, the year in which his lists were framed.

"5. By a Sunud the registry of which is forthcoming under date the 13th Rumzan, Suman Subain Mya wu Ulluf (A. D. 1777-78), the Peshwa granted to Trimbukjee Rajeh Bhoslay, *as a new grant, and not in lieu of, or with reference to any previous one,* the 'Hoozoor Mamleh' Umuls of the undermentioned two villages, valued at Rs. 2,023-5-0:—

1. Moujé Vechay, Turuf Havailee, Prant Kurrar.
2. Moujé Borgaum, Turuf Sattara.

"6. In A. D. 1779-80 the abovementioned grant was resumed, and in its stead, by a Sunud the registry of which is forthcoming under date the 8th Rubee-ool-Awul, Sumaneen Mya wu Ulluf (A. D. 1779-80), the Jagheer, Babtee, and Surdeshmookee Umuls of the undermentioned two villages were granted to Trimbukjee Rajeh Bhoslay, at a valuation of Rs. 2,010:—

1. Moujé Meerzapoor, Purguna Danderphul.
2. Moujé Bukterpoor, Purguna Koombaree.

"7. This last Sunud did not long continue in force; the villages were resumed in A. D. 1782-83, and the following grant was made, the grounds assigned being that the villages previously granted had been found unproductive. The registry of this third Sunud is forthcoming under date the 15th Rujub, Sulas Sumaneen Mya wa Ulluf (A. D. 1782-83), and grants to Trimbukjee Rajeh Bhoslay, at a valuation of Rs. 1,925,—

1. The Jagheer, Babtee, and Mokassa Umuls of Moujé Danderphul Khoord, Purguna Danderphul.
2. The Jagheer and Babtee Umuls of Moujé Nimbgaum Khoord, Purguna Danderphul.

"8. The word Surinjam is not used in any of the above Sunuds; in *each*, however, the grant is described in the same terms, the villages being specified as alienated (Doomalla) for the support of the family of the grantee (Kootoombaché bégmees, कुटुंबाचे बेगमीस).

"9. On referring to the Murathee documents recorded by the Agent in this case, I have found nothing relating in any way to the grant of any of the villages specified in my 5th, 6th, and 7th paragraphs, neither does the claimant appear to have made any statement of his case, nor to have furnished any proof in the shape of Sunuds—at least, nothing of the kind is forthcoming.

"10. In the lists of Surinjams framed by Mr. Mills, the original grant (entered in the lists as No. 48 of Class I.) to Trimbukjee Rajeh Bhoslay is stated to have been made *in* A. D. 1778,—the correct date, and the one which agrees with Mr. Elphinstone's list.

"11. In Mr. Warden's lists of 1844 the Surinjam (entered in the list as No. 11 of Class I.) is stated to have been granted before A. D. 1751, and the column of remarks contains the following entry :—

"'The earliest actual grant recorded in the Duftur is dated A. D. 1760; but in this it is said that it existed in the time of the Sattara Rajas.'

"12. In Mr. Brown's revised lists of 1817, the entry of 1844, described in the last paragraph, is preserved intact.*

"13. Under the circumstances above reported, this Surinjam, which is shown by the revised lists to be of the estimated annual value of Rs. 1,497-5-3, should, apparently, have been, according to the Rules laid down by the Honorable Court, included in the class of Surinjams entitled to continuance for two generations, and a moiety of the net proceeds in money to the third, and should not have been entered as an hereditary holding."

* This requires correction, which has been made in the 56th paragraph of this letter.

(Signed) T. A. COWPER, Captain,
Assistant Inam Commissioner.

20. The Inam Commissioner, Mr. Hart, submitted my report to Government with the following letter, No. 1929 of the 14th April 1853:—

"I have the honour of submitting a letter, No. 114 dated 7th March 1853, from my Assistant, Captain Cowper, reporting on the Surinjam entered as No. 50 of Class I. in the revised Surinjam lists.

"2. In the absence of Kyfeculs, &c. noticed in Captain Cowper's 9th paragraph, it is impossible to tell whether it was from the fraud or carelessness of the servants of the Agent's establishment that the erroneous information given in the list was admitted into it; but that carelessness had something to do with its preparation is evident from the fact that in the column of the revised list which professes to give *Mr. Elphinstone's* reasons for the grant, is found the following entry :—

"'Class Silledars, No. 11.—Grandfather to the Raja of Sattara. To retain his Jagheer land at Hyderabad ceded to the Nizam. Hereditary.'

"This entry, which is of course nonsense, I find to be made up of *two* of Mr. Elphinstone's entries relating to distinct cases, one the Jagheer of Bhoslay, the other one of a person named Kowree, No. 12 of the same class in Mr. Elphinstone's list.

"3. Whether Government decide on continuing Bhoslay's Surinjam according to Mr. Elphinstone's recommendation, or according to the Honorable Court's recent Rules, it is right that they should do so with a knowledge of actual facts. I have, therefore, considered it necessary to submit Captain Cowper's letter with the above observation on a point not noticed by him."

21. The orders of Government were received in the Political Secretary's letter No. 2171 of the 17th May 1853, below quoted :—

"I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 1929 dated the 14th ultimo, forwarding one from your Assistant, Captain Cowper, reporting on the Surinjam entered as No. 50 of Class I. in the revised Surinjam lists.

"2. You do not appear to have been aware, when addressing the above letter to Government, that Purushram Rajeh Bhoslay, the last holder of the Surinjam in question, having died without leaving any male issue, orders were issued by Government on the 9th March 1852 for the resumption of the above grant.

"3. In making this intimation I am desired to forward to you copies of two letters from this department to the Collector of Ahmednuggur and the Commissioner at Sattara, the former dated the 9th March, No. 1008 of 1852, and the latter dated the 27th January, No. 418 of 1853.

"4. A copy of your communication has been forwarded to the Agent for Sirdars in the Deccan, in order that there may be a record in his office of the erroneous nature of the information contained in the revised Surinjam lists of 1844 and 1847 relative to this grant."

22. The Inam Commissioner's report and my own were forwarded to Mr. Warden, who was requested in the Chief Secretary's letter No. 2173 of the 17th May last to afford explanation relative to the alteration of dates noticed by me.

23. To this call the Honorable Mr. Warden, having meanwhile become a member of the Government of Bombay, has replied in a letter dated the 5th November last, which has been now referred for my explanation.

24. The Honorable Mr. Warden's 2nd paragraph defines the case under discussion as "that of Trimbukjee Rajeh Bhoslay, grandfather of the Raja of Sattara, who was placed on the throne by the British Government in A. D. 1818." I would explain that Trimbukjee's son, Shahoo, had been adopted by the Raja of Sattara, and thus it was that Trimbukjee's grandson occupied the throne in 1818.

25. The 3rd paragraph of the Honorable Mr. Warden's letter describes the village of Sherusgaum as having been on the accession of the British Government found alienated to Trimbukjee Rajeh Bhoslay; but this seems to me an incorrect description of the state in which the village was found, as the Honorable Mr. Warden in the same paragraph has explained that it (Sherusgaum) had been placed under "a judicial attachment" seventeen years before the war with the Peshwa broke out, and that "at the British conquest the judicial attachment had not been raised" (concluding portion of paragraph 7 of the Honorable Mr. Warden's letter).

26. Under these circumstances I should describe the village as one which *had been* alienated, but which, having been placed under attachment many years before the Peshwa's fall, was found by the British authorities *not* alienated, but in the hands of the Government, and managed by Government officers.

27. The Honorable Mr. Warden has described the attachment of Sherusgaum as a "judicial" one; I am not aware that the attachments made during the reign of the last Peshwa, Bajee Rao, admit of such a distinction as this being drawn; but however this may be, I would particularly solicit attention to the fact that Mr. Elphinstone did not even make the attempt; he laid down as a general rule—"No Jagheer not actually enjoyed up to the war to be restored, unless specially directed so to be" (see paragraph 3 of this letter); and he still more explicitly explained it to be his intention to allow no inquiry into the why or the wherefore of the state of things which existed when the war with the

Peshwa broke out, when he informed all his subordinates—"No right of possession is ever intended to be recognised that was not in force at the breaking out of the present war." (See paragraph 4 of this letter.)

28. In my report No 493 of the 19th October last, I had occasion to refer to a very striking illustration of the working of Mr. Elphinstone's orders on this subject; a portion of the remarks I then offered exactly meet the present case, and are below transcribed :—

"8. I have thought it necessary thus specially to allude to the village of Jowkerreh, which Mr. Elphinstone did not restore, because the case is one proving, it appears to me, beyond doubt, that neither the Peshwa's title, nor the Peshwa's acts, nor anything else, were held to confer a right to the restoration of that which was not 'actually enjoyed up to the war.'

"9. It requires no great search to discover a motive for this arrangement, which was not more simple than equitable. The late rulers and magnates of the conquered country, whatever they might expect from the generosity of the victors, could not suppose that the British Government would place them in possession of that which they did not hold when the war broke out; while, on the other hand, Mr. Elphinstone must have known the pre-existing state of affairs too well not to be aware that to attempt an inquiry into the acts of the Peshwa's Government, or into the acts of others which that Government tolerated, would have been a simple impossibility; and it is not, therefore, difficult to understand why he should have based his arrangements on a broad rule which was just in principle, intelligible to the people, and easily carried out in practice."

29. Government will perceive, then, that I have considered Mr. Elphinstone's orders as conclusive, and that I have, in consequence, not hitherto attempted to ascertain or to discuss the circumstances under which the Peshwas' attachments were made; I have looked *merely* to the condition of the holding at the introduction of the British Government, supposing this to have been the *only* point which Mr. Elphinstone deemed it necessary to ascertain, the *only* point which was allowed to influence his decision, and the *only* point, therefore, which it can now be necessary to refer to.

30. With this explanation I proceed to afford all the information I have been able to obtain, elucidatory of the circumstances which intervened between the attachment of the village of Sherusgaum in 1799-1800, and its being found in the hands of the late Peshwa's managers at the introduction of the British rule.

31. The Sunud ordering the attachment of Sherusgaum directed that it should be farmed out "till the sum of Rs. 6,000 should have been realized from it, to reimburse two persons (to one of whom the farm

was assigned) who had advanced Rs. 6,000 for the payment and discharge of some irregular soldiery who held two members of the family in confinement at the instance of two others, there being at that time a feud in the family, to adjust which the Government interfered." (See paragraph 7 of the Honorable Mr. Warden's letter.)

32. Such was the *origin* of the attachment: the circumstances which followed it, and lasted till the end of the Peshwas' rule, are thus described in the paragraph of the Honorable Mr. Warden's letter (the 7th) from which I have just quoted:—

"How long the village remained with this farmer is not known; but as the Purguna Newasseh, in which it is situated, had gone greatly to waste for some years, it is probable that the interval between A. D. 1800 and A. D. 1817 did not suffice to discharge the debt with which it was burdened, or the proceeds, as in other cases, were possibly 'embezzled' by the public officers in the anarchy that immediately preceded the British conquest; but be that as it may, it so befell that at the British conquest the judicial attachment had not been raised."

I am not aware on what authority this statement has been made, but I must explain that it is not borne out by the Peshwas' records, and that I pointed this out as clearly as I could, in my letter of the 21st September last, No. 445, a copy of which the Honorable Mr. Warden has submitted to Government. In that letter (paragraphs 5 to 12) I stated that in 1808-09 Sherusgaum was regularly incorporated with the Government villages in the district; that it thus remained up to the war in 1817; that during this period *its revenues were realized by Government*, and *not* by the person for the payment of a sum due to whom it had been originally attached; and lastly, that at the commencement of the very year at the close of which the Peshwas' rule terminated, it was farmed, with the rest of the district, *on account of Government*. The following are the paragraphs of my letter in which this information was afforded:—

"5. In A. D. 1809-10 Sherusgaum had been incorporated with the Government villages in the district (Newasseh), and this is the first year for which accounts showing the realizations of its revenue are forthcoming. Rs. 15 are shown as the amount realized and credited to Government under the head of 'Revenue of resumed villages.' From the smallness of this amount it seems probable that Sherusgaum remained deserted up to A. D. 1808-09.

"6. In A. D. 1811-12 the *amount* realized from Sherusgaum is not ascertainable, but that revenue *was* realized, and by *Government*, is shown by an account of management of the Mokassa* Umul of the *district*, in which document the following entry is found:—'Sherus-

* "The Mokassa Umul of the district had been always separately managed and accounted for to Government."

gaum has now been resumed, but the Government manager will not pay the share of its revenue.'

"7. For A. D. 1812-13 an account of the nature specified in the last paragraph is forthcoming, and contains a similar entry.

"8. In A. D. 1812-13 it is certain, however, that the revenue of Sherusgaum was realized by the Government manager of the district, as in a subsequent account of management of his for A. D. 1814-15, the outstanding balance of A. D. 1812-13, amounting to Rs. 2-3-9, is shown to have been realized and credited to Government.

"9. For A. D. 1813-14 no account is forthcoming, but it is equally certain that in this year Government realized the revenue of Sherusgaum, as in the account for A. D. 1814-15, referred to in the last paragraph, the outstanding balance for A. D. 1813-14, amounting to Rs. 25, is shown to have been realized and credited to Government.

"10. For A. D. 1814-15, the account of management referred to in the last two paragraphs is forthcoming, but as the amount realized throughout the district is shown only in the aggregate, the sum which Sherusgaum paid cannot be ascertained.

"11. For A. D. 1815-16, no account showing the realizations of the village or district is forthcoming.

"12. Accounts of the management of the Peshwa's officers for A. D. 1817-18 cannot, of course, be forthcoming, as before that year terminated British rule had been introduced; but the records contain an account showing the amount for which Bajee Rao farmed the *district* at the commencement of the year. This document does not specify the amount at which each village was farmed, but that Sherusgaum was one of them is proved by a detailed memorandum drawn up at the same time, and showing in detail the villages deducted as alienated, Sherusgaum *not* being one of them."

33. Surely I can scarcely be wrong in considering this conclusive proof that at the British conquest not only had the attachment not been raised, but that the village had been *completely and finally* taken possession of *by* and *on account of* the *Government.*

34. The 8th paragraph of the Honorable Mr. Warden's letter is given below entire. It explains the Honorable Mr. Warden's reasons for believing the entry in the lists of 1847, based upon that in the lists of 1844, to be " strictly correct," and it is, therefore, necessary for me to state, as clearly and succinctly as possible, the grounds upon which I arrived at a different opinion :—

"8. It is stated in the 'Remarks' in my Surinjam list, as respects this grant—'The earliest actual grant recorded in the Duftur is dated A. D. 1760; but in this it is said that it existed in the time of the Sattara Rajas.'

"This appears to relate to shares of the revenue of the village of Ghargaum, which was released from attachment in A. D. 1760 by a Sunud, copy and translation of the registry of which are annexed and marked C. This Sunud, taken in conjunction with the contents of that marked A and the fact of the grantee being a member of the house of Sattara, leaves it beyond debate that the grant was a Sattara grant; and as the Honorable the Court of Directors, in paragraph 9 of their despatch dated October 26th, 1842, directed that all Jagheers which bear dates anterior to A. D. 1751, together with those which are known (as this was certainly known) to be ancient, should be hereditary in the fullest sense of the word, there is no doubt that Mr. Brown's decision, based on my remark, is strictly correct, and that if the grantee had preferred to take the waste village of Sherusgaum, which formed part of his ancient Jagheer, instead of the more fertile villages of Nimbgaum and Danderphul, of which the Peshwa's and British Surinjams were composed, Mr. Elphinstone would have gladly acceded to a request by which the British Government would have profited."

35. The entry in the lists of 1844 framed by the Agent, Mr. Warden (see paragraph 16 of this letter), appears to me to have been either incorrect or incomplete in the following instances:—

1*st*.—No allusion was anywhere made to the alteration of the date of original grant, A. D. 1778 (see paragraphs 8, 10, 11, 12, and 16 of this letter), assigned by Mr. Elphinstone and preserved in the lists of 1834 and 1840, although in other cases, where such alteration was made, the requisite explanation was afforded.

2*nd*.—The only explanation afforded in the lists was the remark,—"The earliest actual grant recorded in the Duftur is dated A. D. 1760; but in this it is said that it existed in the time of the Sattara Rajas"; and this would certainly be supposed to refer to the items entered in the lists and which it was proposed to continue, or to more ancient holdings in commutation for which the items entered in the lists had been granted; but it referred to neither the one nor the other, but to a small share of the revenue of a village (Ghargaum) which had been resumed many years before the introduction of the British Government. (See paragraph 8 of the Honorable Mr. Warden's letter.)

3*rd*.—The remark in the lists of 1844 just referred to was in itself incorrect, inasmuch as the Peshwas' Duftur contained the record of a grant (Sherusgaum) made as early as A. D. 1751-52. This record, however, would have been equally inapplicable, referring as it did to a village which, also, had been resumed many years before the close of the Peshwas' rule.

4*th*.—It was nowhere stated, either in the lists or in the Agent's

transmittory letters, that the two items entered in the lists were *new* grants, made long *after* A. D. 1751. Had this been shown, it would have become at once apparent that they did not fulfil *any one* of the conditions required by the Honorable Court to confer an hereditary title. They were not grants made before A. D. 1751; they were not ancient grants; and they were not grants made in commutation for anything held before A. D. 1751.

5th.—No attempt appears to have been made to ascertain, as directed by Government, the date of original grant from Sunuds and other documents in the possession of the family to whom the Surinjam was granted. (See paragragh 14 of this letter.)

6th.—The Agent in his transmittory letter had informed Government,—

> " Wherever I have now found these documents (the Poona Duftur) assign, as the motive of the grant, that the grantee held a Surinjam in the time of the Rajas of Sattara, I have altered the date of the original grant, and placed it anterior to A. D. 1751."

But in the present case the documents making the grant of the holdings entered in the lists assigned no such motive. (See paragraph 19 of this letter, and paragraphs 5 to 7 of the report therein quoted.)

7th.—It would appear that the date of grant of the Surinjam which Mr. Elphinstone continued, and which was the one entered in the lists of 1814, was not ascertained from either the Poona Duftur or from any other source (see paragraph 9 of the report quoted in paragraph 19 of this letter); at least, such seems the inference to be drawn from the fact of there not being a single Murathee document relating in any way whatever to this Surinjam to be found amongst the papers recorded in the case.

8th.—In other cases (Nos. 3 and 46 of Class I.) where the ancient date of original grant of a portion of the Surinjam held from the British Government had been assigned to the rest of the holding which was not ancient, the fact was clearly stated; whereas, in the present case, not only was such information not afforded, but the date of original grant of that which had never been held at all from the British Government, nor for many years previous to its introduction, was assigned to a Surinjam which was neither an ancient holding nor yet a grant made in commutation for any ancient holding, but a new grant of A. D. 1778,—the date assigned to it by Mr. Elphinstone.

36. The apparent errors and omissions in the lists of 1844, which have been specified in the last paragraph, and the most serious of which had been *specially pointed out* to Mr. Brown by the Government (see paragraph 17 of this letter), remained *uncorrected* in the lists of 1847, which seem to have been *additionally* defective as shown below.

1st.—The age of the Surinjamdar had been entered in 1844 as sixty-seven years, and no alteration was made in the list prepared three years afterwards. This appears to have been the case with regard to nearly every entry in the revised lists.

2nd.—Mr. Elphinstone's recommendation was incorrectly entered : not only were two separate entries in Mr. Elphinstone's lists entered as one, but a word—" at"— not to be found in *either* of the two original entries, was *added*, to endeavour to connect the two sentences. (See paragraphs 8, 18, 53, and 54 of this letter.)

3rd.—The only explanation afforded in regard to the date of grant was a remark—"The earliest actual grant recorded in the Duftur is dated Esunay Khumsain or A. D. 1751 ; but in this it is said that it existed in the time of the Sattara Rajas." But the record of A. D. 1751 to which Mr. Brown referred makes no such allusion or statement whatever.

4th.—The remark just referred to was the *only* explanation or authority under which a Surinjam granted nearly *thirty years subsequently to* A. D. 1751, and then granted not in commutation for anything held previously, was entered in the revised lists as a grant made " before A. D. 1751"; and this remark referred to a village (Sherusgaum) not held at the introduction of the British Government, not continued by Mr. Elphinstone, and not, of course, entered in the revised lists. It was not possible that Government could *suppose* this to have taken place, when they had especially desired Mr. Brown to assign to each item composing a Surinjam the actual date of grant of that item, and when they had still further enjoined attention to this point in the following terms :—

> " Under the column headed 'Remarks,' clear and detailed information should in each case be given in regard to the proofs which exist of the Surinjam having been granted to the family of the holder from the date alleged. In all cases in which you are not perfectly satisfied of the correctness of the alleged date of grant, you are requested to state your reasons for entertaining such doubt."

37. Such were the circumstances under which I reported (see those stated in the two preceding paragraphs—35 and 36) on the 7th March last, that Purushram Rajeh Bhoslay's Surinjam appeared to have been incorrectly entered in the revised lists, and these facts do not appear to be in any way affected by the Honorable Mr. Warden's letter.

38. It is proper that I should advert to some of the more important cases in which the rule so emphatically reiterated for Mr. Brown's guidance *has been acted upon.* (See paragraph 17 of this letter.)

39. The Surinjam of the Rastia family, consisting of thirty-nine villages, of the annual value of Rs. 62,212-14-3, and the bulk of which

had been granted in A. D. 1763, was entered (No. 3 of Class I.) in the lists of 1844 as a grant made before A. D. 1751, because *two* villages, of the annual value of about Rs. 1,200, had been granted at this early date. Government, however, specifically noticed this error (see paragraphs 7 and 8 of Chief Secretary's letter in the Political Department, No. 1896 of the 9th May 1846), and the correction *was made* in the revised lists.

40. The other case which I shall here notice is that of the Vinchoor Chief, whose Surinjam was valued (No. 6 of Class III.) in the revised lists at Rs. 53,436, only a very small proportion of it having been, however, granted prior to A. D. 1751. Such being the case, the Honorable Court and the Government have decided (see paragraph 5 of Honorable Court's despatch of the 4th February 1852, No. 10) that the early date of grant of this small portion can convey no hereditary title to the large remainder granted after A. D. 1751.

41. It is worthy of remark that in the case of both these Chiefs, and in other cases which I have not thought it necessary to specify, the small portion of the Surinjam, in consideration of the antiquity of which it was erroneously proposed to continue on hereditary tenure the large remainder of modern date, consisted of villages held from the British Government, and not, as in the case now reported on, of villages or portions of villages never thus held at all, but lost years before the termination of the Peshwas' rule.

42. I have now, I believe, stated the case completely, in so far as the correctness or otherwise of the entries in the lists of 1844 and 1847 is concerned, but the remaining paragraphs of the Honorable Mr. Warden's letter, which impugn the completeness of my report of the 7th March last, remain to be noticed.

43. The Honorable Mr. Warden in his 11th paragraph states:—

"It will be observed that Captain Cowper, in his letter of the 7th of March last, which was submitted to Government with that of Mr. Hart dated the 14th of April, never once mentions the grants of the villages of Sherusgaum and Ghargaum, from the evidence derived from which the Surinjam found its way into Class I., but, on the contrary, states (paragraph 3)—"neither the Surinjam in question, nor any other Surinjam in lieu of, or in commutation for which the present one was granted, were held previous to A. D. 1751."

With reference to this I would explain,—

1*st.*—That I did not refer to either Sherusgaum or to Ghargaum *because* I found, after a careful inquiry, that both had been resumed long before the fall of the Peshwa; that nothing had been granted in commutation for them; that Mr. Elphinstone had neither continued nor alluded to them; and that, consequently, they had, under the orders upon which the lists of 1844 and 1847 were prepared, nothing

whatever to do with the Surinjam continued by, and held from the British Government.

2*nd.*—That the grant of Sherusgaum *recorded in* A. D. 1751-52 could not, apparently, have been the evidence derived from which the Surinjam granted in A. D. 1778 found its way into Class I. of the lists of 1844; for in those lists it was distinctly stated—"The earliest actual grant recorded in the Duftur *is dated A. D.* 1760*; but in this it is said that it existed in the time of the Sattara Rajas."

44. The conclusion drawn at the end of the same (the 11th) paragraph of the Honorable Mr. Warden's letter is thus expressed:—"It follows, therefore, that although the grants by the Peshwa were not in lieu of, or in commutation for others, they were held in conjunction with ancient grants, and which was not brought to notice." With merely the orders of the Honorable Court and those of the Government to guide me (see paragraphs 13, 14, and 17 of this letter), I should undoubtedly have arrived at the conclusion that modern grants, held "*in conjunction with*" ancient ones, were, nevertheless, to be considered and treated as modern, but I could be at no loss to determine this with the remarkable illustrations on record to which I have referred in paragraphs 38 to 41 of this letter. Such being the case, I should not have referred to Sherusgaum and Ghargaum, even if they had been at the introduction of British rule held in conjunction with the Surinjam granted in A. D. 1778, but I have explained that they were not thus held. (See paragraph 35 of this letter.)

45. The 12th paragraph of the Honorable Mr. Warden's letter objects to my having described the village of Sherusgaum as one which was resumed in A. D. 1799-1800, and substitutes for "resumed" the words "a judicial attachment." I am not aware that the substitution would have affected the case as reported by me in the slightest degree,—

1*st.*—Because, for the reasons explained in paragraphs 27 to 29 of this letter, all that I looked to was whether the village, or anything granted in commutation for it, was held at the close of the Peshwas' government and continued by Mr. Elphinstone or not.

2*nd.*—Because the village had been, as I have hereinbefore explained (see paragraphs 32 and 33 of this letter), completely and finally resumed long before the close of the Peshwas' rule; and I would further solicit attention to the entry in Mr. Elphinstone's list (see paragraph 8 of this letter), which shows that in alluding to this village he described it, as I have done, to be one which had been "resumed by Bajee Rao."

46. The next (the 13th) paragraph of the Honorable Mr. Warden's

* *Italicised* by Captain Cowper.

letter refers to my having omitted to point out, when affording him some required information, that although the Sunud granting Sherusgaum did not specify the tenure, the Sunud resuming it did so. I certainly did not specially point out this latter fact, but *I furnished a copy of the document which contained it* (see paragraph 6 of Captain Cowper's letter No. 411 of the 27th August last), and it did not occur to me to do more, because the nature of the tenure had not been previously questioned, nor did I then question it. It must have been either Inam or Surinjam, and the *least* favourable position in which it *could* be placed was that in which I found and left it. Had there been any reason to suppose the tenure an Inam one, I should assuredly never intentionally have omitted to draw attention to the fact.

47. The 14th and 15th paragraphs of the Honorable Mr. Warden's letter are below transcribed :—

> "14. Again, Captain Cowper tells Mr. Hart (paragraph 5) that two villages, Veehay and Borgaum, were granted *as a new grant, and not in lieu of, or in reference to any previous one*, in A. D. 1777-78.
>
> "15. The words in *italics* were *italicised* by Captain Cowper himself, and the object of this emphasis was, I presume, to impress on the Government that Bhoslay's claim as a Surinjamdar commenced in A. D. 1777-78; the fact being, as it appears to me, that the grant of Sherusgaum and Ghargaum was at that very time in the possession of the Surinjamdar and his family, and held, according to Captain Cowper's own subsequent showing, one from before A. D. 1751-52 to the British conquest, or, even acording to Captain Cowper himself, till A. D. 1800, when it was temporarily attached in consequence of the family feud; and the other *certainly* in A. D. 1752-53, and perhaps as early as A. D. 1747-48.—(Captain Cowper, paragraphs 2 and 8, August 27th, 1853)."

If I correctly understood the above, the Honorable Mr. Warden lays down, that because Bhoslay *once* held something granted before A. D. 1751, but lost before the close of the Peshwas' rule, *therefore* the Surinjam found in the possession of his descendant at the introduction of the British Government is, although granted long after A. D. 1751, and not in commutation for, or with reference to anything held previously, properly continuable on hereditary tenure.

48. But the Government and the Honorable Court have already decided, not only in general but also in distinct and specific terms, to the contrary; and they have gone further,—they have decided that such ancient grants, even *if held* at the introduction of the British Government (see paragraphs 17, 38, 39, 40, and 41 of this letter),—those to which the Honorable Mr. Warden has referred were *not* thus held—can give no hereditary title to other and modern grants made to the same family.

49. The Honorable Mr. Warden, in his 16th paragraph, has adverted to the fact of my report of the 7th March last having principally consisted of an account of villages, the grant of which was totally irrelevant (the Honorable Mr. Warden thinks) to the question—the date of the original Surinjam, which was before the Agent for Sirdars when the Surinjam lists were framed. But this was the very point which in my report I endeavoured to lay before Government (see paragraphs 3, 5, and 13 of the report quoted in paragraph 9 of this letter), because it was the *only* point on which it seemed to me that any real question could be raised, or on which error appeared to have been committed.

50. The object of my report of the 7th March last may be described in a few words. The Surinjam lists were framed under orders which explicitly declared (see paragraphs 13 and 14 of this letter) that Surinjams bearing dates prior to A. D. 1751; or bearing no precise dates, but known to have been granted before that year; or granted in commutation for any Surinjam held before that year; should be considered *entitled* to hereditary continuance; and it was further laid down (see paragraph 17 of this letter) that *each portion* of a Surinjam continued by the Honorable Mr. Elphinstone must fulfil the above conditions to be entitled to the consideration,—*i. e.* hereditary continuance conceded to antiquity of grant; but I found the Surinjam of Purushram Rajeh Bhoslay composed of shares of the revenue of two villages (Danderphul and Nimbgaum) which had been continued by Mr. Elphinstone as a grant of A. D. 1778, and erroneously entered in the lists of 1844 and 1847 as granted *before* A. D. 1751; the fact, which I at once brought to notice, being that "neither the Surinjam in question, nor any other Surinjam in lieu of, nor in commutation for which the present one was granted, were held previous to A. D. 1751, or *for twenty-six years afterwards*."

51. This brings me to the close of the objections which have occurred to the Honorable Mr. Warden, and, having afforded all the explanation in my power, I can only express a hope that I may be found not to have omitted, in the first instance, anything material to the subject-matter of my report. It has certainly been my endeavour not to do so, and I have conceived it to be equally my duty to carefully abstain from encumbering reports necessarily voluminous with any irrelevant matter.

52. Government have not called for my explanation regarding a remark made in Mr. Hart's letter, submitting my report of the 7th March last, and to which remark the Honorable Mr. Warden has alluded in his 17th paragraph in the following terms:—

"17. Mr. Hart's letter handing up Captain Cowper's consists only of the notice of a clerical error in Mr. Brown's lists made in the transcript of Mr. Elphinstone's note, to which note has been

joined the note on the case immediately following it. I should have expected from Mr. Hart, instead of talking of the 'nonsense' written (as if a clerical error did not generally convert sense into nonsense) and of 'carelessness,' he would have pointed out,—what he can hardly have failed to observe,—that in the process of binding Mr. Elphinstone's Surinjam list, part of the notes was bound in *so as to give the two notes the appearance of being one*;—the error of the clerk is so obvious as to have been beneath notice."

But Mr. Hart's remark was made under circumstances which can only be disclosed by an inspection of Mr. Elphinstone's draft list of Jagheers, which is in my charge. These circumstances do not appear to me to admit of the construction which the Honorable Mr. Warden has placed upon them, and it seems, therefore, my duty to submit them for consideration.

53. Adopting the Honorable Mr. Warden's opinion that "in the process of binding Mr. Elphinstone's Surinjam list, part of the notes was bound in *so as to give the two notes the appearance of being one*," there still can be nothing to account for the fact of the word "at" having been *added* (see paragraphs 8, 15, and 36 of this letter).

54. But the process of binding Mr. Elphinstone's *draft* list, which is the one referred to, does not seem to me to have destroyed the original appearance and position of these two entries, which are below transcribed *exactly* as they now stand, the pencil lines never having been rubbed out, and the two sheets being joined or bound together at BB :—

B

Number.	Name.	Class.	Remarks.	Decision.	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.	Estimated real Value at present.	Pecuniary Pension.	For what Period recommended.
					Rs. a. p.	Rs.		
11	Trimbukjee Rajeh Bhoslay Waweekur, Rs. 1,497; 41 years; Rs. 1,200 resumed.	Do.	..	Grandfather to the Raja of Sattara; to retain his Jagheer land.	1,122 13 0	711	..	Hereditary.
12	Muhiput Rao Kowree, Rs. 3,000; 70 years; Rs. 4,986 resumed.	Do.	..	(Hyderabad), ceded to the Nizam.	...	..	..	

B

55. I have felt myself especially called upon to submit this explanation, because, if my memory serves me, Mr. Hart had not Mr. Elphinstone's draft list with him, or within his reach, when he wrote his

transmittory report, but I had it at hand, and I was furnished at once by Mr. Hart with a copy of his letter. I, therefore, was in a position to point out anything in the draft list at all incompatible with, or required to complete Mr. Hart's statement; but nothing of the sort occurred to me, and I would here add that *the whole* of Mr. Elphinstone's draft list is bound *precisely in the same way as the two leaves on which this entry stands.*

56. I beg to correct an error in the 12th paragraph of my report of the 7th March last, in which, instead of stating that the remark made in the lists of 1844 remained intact in the revised list of 1847, I should have said that in the latter the date was altered from A. D. 1760 to A. D. 1751. This alteration does not, however, seem materially to affect or alter the case as originally submitted by me, and it has been adverted to in its proper place in this letter. (Marginal note now added to paragraph 12 of report quoted in the 19th paragraph of this letter.)

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 2966.

Political Department.

From C. J. Manson, Esq.,
Inam Commissioner,
To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Dated Belgaum Districts, Keroor, 2nd February 1854.

Sir,—I have the honour to acknowledge the receipt of your letter No. 5468 dated 20th December last, desiring me to call upon my Assistant, Captain Cowper, to submit any remarks he may have to offer on an accompanying communication from the Honorable Mr. Warden, dated 5th November 1853, in respect to entry No. 50 in Class I. of the revised Surinjam lists of 1847.

2. Captain Cowper was without delay furnished with all the papers in the case, and his reply, No. 31 dated 18th January 1854, herewith submitted, which is very clearly drawn up, appears to me to afford a complete refutation of the Honorable Mr. Warden's objections. The conclusion, therefore, at which I must arrive is, that Captain Cowper's first letter, bringing to light the erroneous entry in the lists, is in no way affected by the Honorable Mr. Warden's explanation.

3. I beg to return the Honorable Mr. Warden's letter and its accompaniments, received with your letter under reply.

I have the honour to be, &c.

(Signed) C. J. Manson, Inam Commissioner.

No. 523 OF 1854.

POLITICAL DEPARTMENT.

From Captain T. A. COWPER,
Inam Commissioner,

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

Dated Poona, 7th October 1854.

Paragraphs 25 to 29 of Captain Cowper's report, No. 31 of the 18th January 1854, submitted by the Inam Commissioner on the 2nd February 1854, No. 2966.

Paragraphs 116 to 120 of do. do do., No. 535 of the 30th November 1853, submitted by the Inam Commissioner on the 3rd December 1853, No. 2786.

SIR,—With reference to the previous reports of mine which are enumerated in the margin, I have the honour to submit, for the consideration of Government, the following transcript of one dated the 30th July 1844, from the Agent for Sirdars, Mr. Warden, on a claim preferred by Rughoonath Rao Nimbajee to hold in Inam certain Umuls of the village of Rajapoor, in the Dindoree Purguna of the Nassick Sub-Collectorate, and which claim the Agent pronounced inadmissible "on the principles which regulated the settlement of the Deccan,"—*i. e. non-possession* at the breaking out of the war with the Peshwa:—

"The records of the Poona Duftur show that in A. D. 1802 the village of Rajapoor, Purguna Dindoree, with the exception of Surdeshmookee and Mokassa, was granted to petitioner's father as Surinjam; that in A. D. 1809 the Surdeshmookee and Mokassa, as well as the Babtee of the village, were granted to petitioner's father as Inam by the Punt Prithee Nidhee of Kurrar; that in 1813 the Mokassa was in the hands of the Government; and that on the accession of the British Government petitioner's father acknowledged that the three items of revenue mentioned had not been in his possession for five years, and, consequently, on the principles which regulated the settlement of the Deccan, that he had no right to them.

Moreover, he only held them as Inam of the Prithee Nidhee, whose own tenure was no more than Surinjam, and who, consequently, was not authorised to alienate them as Inam.

I have the honour to be, &c.

(Signed) T. A. COWPER, Captain,
Inam Commissioner.

No. 2605 of 1856.

Political Department.

From H. L. Anderson, Esq.,
Secretary to Government, Bombay,

To Captain T. A. Cowper,
Special Commissioner, in charge Alienation Department.

Dated the 20th May 1856.

Sir,—Referring to Mr. Manson's letter No. 2966 dated the 2nd February 1854, transmitting remarks on a communication from the Honorable Mr. Warden in respect to entry No. 50 in Class I. of the revised Surinjam lists of 1817, I am directed to transmit to you copy of a resolution passed thereon by the Right Honorable the Governor in Council under date the 9th instant, and to inform you that the question involved in this correspondence will be submitted for the decision of the Honorable the Court of Directors.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 20th May 1856.

Resolution by the Board, dated 9th May 1856.

Resolved,—The Surinjam of Purushram Rajeh Bhoslay having lapsed from failure of heirs, it will only be necessary to forward the correspondence to the Honorable the Court of Directors; but in taking this course, it is proper that the Right Honorable the Governor in Council should briefly notice the points at issue between Mr. Warden and Captain Cowper, in order that no incorrect precedent may be established.

2. The Honorable Mr. Elphinstone, by his settlement, continued two villages, Danderphul Khoord (the greater) and Nimbgaum Khoord, to the descendant of Trimbukjee Rajeh Bhoslay, and recommended that the possession, which had existed for forty-one years, should be hereditary.

3. By the operation of the Honorable Court's order of 1842, the Surinjam would have been included in Class II., as being granted since A. D. 1751, unless upon special grounds, approved by the Honorable Court, it had been retained in Class I.

4. Mr. Warden in his lists included it in Class I., on the ground "that the earliest actual grant recorded in the Duftur was dated A. D. 1760, but that in that grant it was stated that it existed in the time of the

Rajas." There were two propositions involved in this assertion,—1*st*, the principle laid down by the Honorable Court, that a grant of a later date than 1751, if given in lieu of a grant of an earlier date than 1751, should be regarded as hereditary,—that is, should operate as a grant of the earlier date; 2*nd*, that if a portion of a Surinjam were granted before 1751, that would make hereditary those parts of the Surinjam which were granted after 1751. The first of these propositions is correct, the second is quite incorrect.

5. Mr. Brown's entry of this Surinjam was to the same effect as Mr. Warden's, but the date of the earliest actual grant was stated to be not 1760 but 1751.

6. Captain Cowper, when he submitted his report on this case, stated that the two villages had been granted in A. D. 1778, which agreed with Mr. Elphinstone's statement in 1819 that they had been held by Trimbukjee Rajeh Bhoslay's family for forty-one years. He also stated that the villages were not given in lieu of any former grants of an earlier date than A. D. 1751. These two statements are admitted to be correct, although the entry of the Surinjam in Class I. has been defended on other grounds.

7. Mr. Warden's argument in support of the entry of the Surinjam in Class I. may be thus briefly stated. Besides the two villages continued by Mr. Elphinstone, the Surinjamdar possessed a third village, Sherusgaum, at the accession of the British rule. A fourth village, Ghargaum, had also been formerly held by him, but resumed before the conquest; it does not, therefore, affect the discussion, except so far as that having been granted before 1751, it was held to bring the whole Surinjam into Class I. The village of Sherusgaum, at the time of the conquest, was found to have been under "a judicial attachment" since A. D. 1800. It had not been politically and permanently confiscated, but merely placed under an attachment, and handed over to a farmer, until a sum of Rs. 6,000 had been paid by the Surinjamdar. This village of Sherusgaum had been granted by a Sunud of A. D. 1751-52, and it was suggested that had the Surinjamdar preferred it, Mr. Elphinstone would have given the village to him, instead of the far more productive possessions of Danderphul and Nimbgaum.

8. To this argument it has been objected by Captain Cowper that Mr. Elphinstone did not continue Sherusgaum for the simple reason that Sherusgaum was not in the actual possession of the Surinjamdar at the breaking out of the war. "No *right* of possession *not actually in force* was to be recognised, unless specially ordered so to be"—was Mr. Elphinstone's plain rule. It was also contended by Captain Cowper that the village had been actually resumed, and its revenues brought into the Government accounts, before the breaking out of the

war. Mr. Warden, in his rejoinder, adhered to his view, that the decision of Mr. Brown was "strictly correct."

9. The Right Honorable the Governor in Council is of opinion, that had Purushram Rajeh Bhoslay left issue, it would have been a very proper case for reference to the Honorable Court whether, with reference to Trimbukjee Rajeh's connection with the royal family of Sattara, the old date of some of his possessions, and the fact that Mr. Elphinstone had continued the holding as hereditary, it might not, as a special case, be continued in Class I. On the other hand, if the Rules were to be rigidly interpreted, the Right Honorable the Governor in Council has no doubt whatever that Captain Cowper's and not Mr. Brown's view was "strictly correct." The two villages had no connection with Sherusgaum; they were not given in lieu of Sherusgaum; they were a distinct holding from Sherusgaum. Mr. Elphinstone never alluded to Sherusgaum, which was not in the actual possession of the Surinjamdar at the breaking out of the war. As to the distinction between judicial attachments and political confiscations, the Right Honorable the Governor in Council would remark that, in practice, it will be found that half of the latter were the result of the former. The superior power did not always directly resume the grants which it had made; a judicial attachment (as Mr. Warden terms it), or some other pretext, readily afforded the means by which the end was attained, and in the present instance the village seems to have been for seventeen years in the hands of Government. Lastly, the assumption that Mr. Elphinstone would have given Sherusgaum, had the Surinjamdar preferred it, is, however ingenious, entirely gratuitous.

10. The Right Honorable the Governor in Council has omitted many minor facts and arguments with which Captain Cowper's position is fortified, because the question is not now whether the Surinjam shall or shall not be resumed. But the point on which it is emphatically necessary he should remark is this,—let it be conceded that Mr. Warden's view, as now stated. is correct—that officer and Mr. Brown would still be liable to censure for not having submitted the reasoning on which they arrived at the conclusion set forth in their lists for the consideration of Government. No human ingenuity or acumen could have surmised the alleged facts, which were not stated, but on which the "strict correctness" of the entry is said to have been founded. Let all be conceded that Mr. Warden wishes—it is still obvious that several questions of principle must have been decided tacitly by the two Agents without reference to Government, before that entry could be established. No subordinate officer has a right to submit conclusions which the Government must naturally imagine to be founded on a certain class of facts and principles, and then, when the conclusions are discovered to

be inconsistent with those facts and principles, to justify the conclusions as obtained from other facts which had never been presented for the consideration of Government. If Mr. Warden's argument be correct, it ought, for his justification, to have been substantially conveyed in the entry regarding the Surinjam which he submitted to Government in 1844.

9th May 1856.

APPENDIX D.

No. 102 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, 28th February 1853.

Sir,—I have the honour, under the orders conveyed in the Chief Secretary's letter No. 4175 of the 24th September 1852, to submit, for your consideration, the circumstances under which the two villages, and the Mokassa Umul of the five others specified in the margin, were included in the revised Surinjam lists as part of the hereditary Surinjam of Chinmajee Vittul Poorundhuree, and were subsequently restored to him on that tenure under the orders from the Honorable Court of Directors passed on the above lists (despatch No. 15 of the 22nd May 1849, paragraphs 2 to 12).

1. Moujé Chugaum.
2. Ditto Nugaum.

The Mokassa Umul of,—
1. Moujé Buhadurpoor.
2. Ditto Ichapoor.
3. Ditto Oomertee.
4. Ditto Boree.
5. Ditto Sangvee.

2. The Honorable Court seem to have passed this decision on the erroneous information afforded to them in the revised lists* that "by an oversight this portion of the Surinjam was retained by Government when the remainder was restored to the present Surinjamdar in A. D. 1840.—Sunuds and Chor Chittees are in the possession of this person"; whereas, so far from the above portion of the Surinjam having been retained by Government through any oversight, its restoration had been fully discussed, *on the Agent's representation, in* 1841 (see paragraphs 14 to 21 of this letter), and had been decisively negatived by the Government of India, which decision had been communicated to the Agent for Sirdars on the 7th October 1841, in the Political Secretary's letter No. 2775. (See paragraph 22 of this letter.)

3. When Mr. Elphinstone settled the Deccan in A. D. 1818 and 1819, a Surinjam *in the Deccan*, stated to have been held at the breaking out of the war by Vittulrao Mulhar Poorundhuree (the father of the present holder,

* In Mr. Warden's lists of 1844, No. 29 of Class I., and No. 2 of Class V.

In Mr. Brown's revised lists of 1847, No. 19 of Class I., and No. 2 of statement No. I. of List No. 5.

Chimnajee Vittul), was restored to him, and subsequently Mr. Chaplin (Mr. Elphinstone's successor) addressed the authorities in Nimar with a view to the restoration of a portion of the Surinjam claimed in that quarter (the villages and Umuls specified in paragraph 1).

4. A good deal of correspondence took place consequent on this requisition, as the Nimar authorities on various grounds at first declined to restore the villages. The only portion of this correspondence which it is of importance here to notice is the fact pointed out by Sir John Malcolm to Mr. Chaplin, in a letter dated the 27th March 1820, that one of the villages claimed (Chugaum) had been abandoned by Vittulrao Mulhar Poorundhuree long prior to its occupation by the British Government; that the other village (Nugaum) had been completely abandoned, "and had been uninhabited by any human creature for a period of fifteen or twenty years"; and that the five villages, the Mokassa Umuls of which were claimed, were "in a state of desolation," four of them belonging to Holkar.

5. It thus appears that Vittulrao Mulhar Poorundhuree was not in possession of these villages at the breaking out of the war, and that under these circumstances Mr. Elphinstone's arrangements did not contemplate their restoration, as he most distinctly instructed all subordinate officers to this effect. Indeed, one village in the Nuggur Collectorate (the village of Bowhanuggur, Chimnajee Vittul Poorundhuree's claim to a portion of which was finally rejected in the Chief Secretary's letter No. 3482 of the 1st August 1851), which was exactly in the position of the Nimar ones, having been deserted and waste for many years prior to the conquest, was not restored to Vittulrao Mulhar Poorundhuree, and is at present Khalsat.

6. Sir John Malcolm subsequently restored the Nimar villages, and on the 14th June 1822 the Government of India ordered, through Sir David Ochterlony, that Mr. G. Wellesley, then Resident at Indore, should investigate "the claims by which the Poorundhur Chief" held them.

7. Mr. Wellesley obtained from Mr. Chaplin, the Deccan Commissioner, from the Political Agent at Sehore, and from the Acting Agent at Mundlaisur, all the information they could supply on the subject, and on the 21st October 1822 reported as follows :—

"The Poorundhur's claim on Chugaum and Nugaum appears to be, from the accompanying documents, clearly a tenure for his personal life, and no longer, and Sir John Malcolm's letter of restitution I find restores it only on the same tenure as it was held by him of the Peshwa; but as, perhaps, he may be reckoned to have a constructive claim to consideration from long possession of the villages of his family, I would, in such case, suggest it as an eligible compromise of the matter, that the Sunud of Government, to be given in conformation of the current tenure, should contain a prospec-

tive provision for continuing the villages to his heirs in lineal descent as perpetual tenants in rent, or proprietors subject to payment of the assessed revenues of Government."

8. Sir David Ochterlony concurred in the above, and submitted Mr. Wellesley's propositions for the consideration of the Government of India, who on the 28th December 1822 replied as follows :—

"The Governor General in Council concurs entirely with the Resident at Indore, in viewing the grant of Chugaum and Nugaum to the Poorundhur Chief to be simply a life-tenure, of the nature of Zât Surinjamee. Both the testimony of Mr. Chaplin and still more the translations of Sunuds and extracts from the Poona archives, which accompanied his despatch of the 15th August last, are conclusive on this head, and Government is unable to understand on what principle Sir John Malcolm should have bestowed these 'villages' in *free gift* or *Inam.* The qualifying passage in the Sunud, indeed, which follows the latter words—'the villages of Chugaum and Nugaum are bestowed on him in free gift, and the village of Sangvee, Purguna Kanapoor, is given up as Mokassa, the whole being thus restored *on the terms formerly granted*'—shows that whilst intending to restore them only on the former tenure, an essential misapprehension existed as to the nature of that tenure. With this error apparent on the face of the transaction, and as it is very doubtful whether Vittulrao Mulhar was entitled to resume possession of the villages on *any* footing after many years' total abandonment of them, Government conceives that it will amply have fulfilled any obligations which the proceedings of the late Agent may have imposed by acknowledging the tenure in question to be a life Jagheer. On the same principle, the share of the revenue of the village Sangvee, called Mokassa, must be allowed whenever that village may have been brought into a productive state.

"12. Under these instructions, it will be necessary that the Resident at Indore should demand back the former grant by Sir J. Malcolm for the purpose of cancelling the same, and that the draft of a fresh one should be prepared as above, and submitted, both in English and Persian, for approval and signature by the Governor General in Council."

9. On the 30th April 1823 Mr. Wellesley sent the following letter to Vittulrao Mulhar Poorundhuree, through Mr. Chaplin, the Commissioner at Poona, and in doing so he observed,—

"The resolution of Government in the case being conclusive, I beg you will repress any attempts of the Poorundhuree to renew negotiations upon it."

"*Substance of a Letter to* VITTULRAO MULHAR POORUNDHUREE.

"By direction of Government, I have to acquaint you that the Governor General in Council having resolved, after a full consideration of the case,

on granting you a Sunud under seal and signature, confirming to you the possession of the villages of Chugaum and Nugaum, and the Mokassa of Sangvee during the term of your life, the tenure under which these possessions have been hitherto held by you, the said Sunud will be accordingly prepared and transmitted to you, when your acknowledgment will be required in return; and you will now be pleased to return the letter of restitution received by you from Sir J. Malcolm and Colonel Smith, the same being only a provisional deed on their part, subject to the confirmation of the Governor General in Council, whose Sunud, under his seal and signature, you are now about to receive instead."

10. To the foregoing Vittulrao Mulhar Poorundhuree gave the following answer:—

"I have had the honour and satisfaction of receiving the friendly letter which you wrote on the 5th of Bysakh Bidee, Sumvut 1880, notifying, by direction of His Excellency the Governor General, that the villages of Chugaum Mukan and Nugaum, with the Mokassa of the village of Sangvee, would be continued to me on the same condition as heretofore, viz. as Zât Surinjamee, or allowance for my personal expenses during the period of my life, desiring that I would transmit to you the deeds in my possession granted by General Sir J. Malcolm and Colonel Smith for the above villages, and that Sunuds, under the seal and signature of the Governor General, would be given to me in exchange. This was the purport of the letter, and, in compliance with the orders of Government, I have delivered the deeds granted by General Malcolm and Colonel Smith to Mr. Chaplin, the Commissioner of Poona, and they will accordingly reach your presence through that channel."

11. The following is a draft of the Sunud which Mr. Wellesley proposed in lieu of the document granted by Sir J. Malcolm, which he had cancelled:—

"*Draft of a Sunud to* VITTULRAO MULHAR POORUNDHUREE.

"Whereas, the Governor General in Council, after full consideration of the case, has resolved on confirming to Vittulrao Mulhar Poorundhuree the possession of the village of Chugaum, Purguna Kundwah, and Nugaum, Purguna Murdana, and of the Mokassa of Sangvee, Purguna Kanapoor,—all the places situated in the Zilla of Nimar,—for the term of his life, as hitherto held by him; after which they will revert to and be resumed by Government: This Sunud, under the seal and signature of the Governor General in Council, is accordingly issued to him in testimony of the same, and his acknowledgment will be taken in return."

12. On the 7th November 1823 Mr. Wellesley was informed that this

draft of Sunud had been adopted by Government, and that it would be returned to him from the Persian Office duly signed and sealed.

13. On the 24th December 1823 Mr. Chaplin forwarded the above Sunud "under the seal and signature of His Excellency the Governor General in Council" to the Collector of Poona, and in requesting that officer to deliver it to Vittulrao Mulhar Poorundhuree, added,—

"As this incumbent resides within your jurisdiction, it is desirable that, on the occurrence of his decease, early notice thereof should be communicated to me, with a view to the resumption of the Jagheer in question."

14. Vittulrao Mulhar Poorundhuree died on the 12th January 1840, leaving one son, Chimnajee Vittul, to whom the Surinjam in the Deccan was, by order of the Bombay Government, continued. The Nimar villages were, according to the tenure of the Governor General's Sunud, resumed by the Government of India.

15. Chimnajee Vittul Poorundhuree, on the 11th July 1840, addressed the Bombay Government, begging that the Nimar villages might be restored to him. His letter was forwarded for the report of the Acting Agent for Sirdars, Mr. Mills, who, on the 13th October 1840, informed Government as follows:—

"The Acting Agent begs leave to forward an original letter, dated 23rd instant, and enclosure, from the Resident at Indore, from which it will appear that petitioner has no claim whatever to the villages he alludes to, the Governor General in Council having decided that they were merely life-grants to petitioner's father.

"Under these circumstances, the petitioner may be informed that his title to the villages he claims is inadmissible.

16. The request of Chimnajee Vittul Poorundhuree was then, in the Political Secretary's letter No. 2490 of the 14th November 1840, negatived in the following terms:—

"I am desired to signify to you that, on inquiry, it appears that the villages in question having been merely life-grants, lapsed to Government on the demise of your father, and that the Governor in Council cannot, therefore, comply with your petition."

17. A copy of the Political Secretary's reply to Chimnajee Vittul (Political Secretary's letter No. 2491 of the 14th November 1840) was on the same date forwarded to the Acting Agent for Sirdars, with a request that he would "be pleased to report, for the information of Government, the tenure under which the villages situated in the Poona and Ahmednuggur territory were held by the petitioner's father."

18. The Agent, in a letter No. 101 dated the 14th April 1841, afforded the information called for in regard to the Deccan villages, and added a

recommendation that those in Nimar should be likewise continued, assigning, as the grounds on which he had arrived at an opinion opposite to the one expressed in his previous report to Government of the 30th October 1840 (see paragraph 16), the fact of the revenues of the Nimar villages having been included in Mr. McDonnell's statement of Surinjams, and also in those of Mr. Marriott submitted to Government on the 1st August 1834. Mr. Mills thought that the application of the rules framed by Mr. Marriott, and promulgated for observance by the Bombay Government pending the decision of the Court of Directors, annulled the previous decision of the Governor General in Council.

19. Mr. Mills seems, however, to have completely overlooked the grounds on which the decision of the Supreme Government had been based (see paragraph 8), and the important fact that the Nimar villages had not been held by Vittulrao Mulhar Poorundhuree at the breaking out of the war, and that on this account it had seemed to the Supreme Government "very doubtful whether Vittulrao Mulhar was entitled to resume possession of the villages on *any* footing after many years' total abandonment of them." They were included, it is true, in Mr. McDonnell's statement, but *subject to inquiry*, which was afterwards made by Mr. Chaplin, and which proved that they did *not*, like the Deccan villages, fulfil the terms *on which alone* Mr. Elphinstone had contemplated the restoration of any holding, whether Surinjam or Inam.

20. On the 29th July 1840, the Bombay Government, through their Political Secretary, forwarded to the Government of India copies of the undermentioned correspondence, "for such notice as the Right Honorable the Governor General in Council might deem it to deserve":—

The petition from Chimnajee Vittul Poorundhuree dated the 11th July 1840, referred to in paragraph 15 of this letter.

The report by the Acting Agent for Sirdars dated the 30th October 1840, referred to in paragraph 15 of this letter.

The reply of Government to Chimnajee Vittul Poorundhuree dated the 14th November 1840, referred to in paragraph 16 of this letter.

The letter from Government to the Acting Agent for Sirdars dated the 14th November 1840, referred to in paragraph 17 of this letter.

The Agent's reply dated the 14th April 1841, referred to in paragraph 18 of this letter.

21. The reply of the Supreme Government, conveyed in their Political Secretary's letter No. 2334 of the 25th August 1841, was accompanied by a memorandum (the substance of which is given in paragraphs 6 to 12 of this letter) of previous proceedings in regard to the Nimar villages, and the tenure on which they had been held was explained as having been "by the resolution of the Governor General in Council limited to the life of Vittulrao."

22. The foregoing decision of the Government of India was communicated in the following terms to the Agent for Sirdars, in the Political Secretary's letter No. 2775 of the 7th October 1841 :—

> "With reference to your letter dated the 14th April, No. 101 [the letter recommending the restoration of the Nimar villages, referred to in paragraph 18], I am directed by the Honorable the Governor in Council to transmit, for your information, copy of a communication from Mr. Secretary Maddock, dated the 23rd August last, No. 2334, from which you will perceive the grounds on which the villages of Nugaum and Chugaum were resumed by the Government of India on the death of the late Vittulrao Mulhar Poorundhuree."

23. Thus stood the case, as far as I have been able to learn, when the Agent for Sirdars, Mr. Warden, on the 29th December 1844, submitted classified lists of Surinjams, in which, as No. 29 of Class I. and No. 2 of Class V., the Nimar villages were entered as part of a Surinjam which Chimnajee Vittul Poorundhuree was entitled, under the Rules, to hold on hereditary tenure, the column of "Remarks" containing the following explanation :—

> "By an oversight this portion of the Surinjam was retained by Government when the remainder was restored to the present incumbent."

24. Mr. Warden's lists were subsequently revised by Mr. Brown, who succeeded him as Agent for Sirdars, and in whose revised lists the above entry was preserved; the Nimar villages being entered as, together with the Deccan ones, forming *one Surinjam, held on one and the same tenure.* In neither of the lists was any allusion whatever made to the previous decision of 1822, nor to the reconsideration of the case which took place *subsequent to the resumption* in 1840, nor to the Supreme Government's final enunciation on the 23rd August 1841 of their previous decision of 28th December 1822.

25. The revised Surinjam lists were sanctioned generally by the Honorable Court of Directors (Honorable Court's despatch No. 15 of the 22nd May 1849, paragraphs 2 to 12), and it was with reference to this sanction that, on the 18th December 1849, the Acting Agent, Mr. Hunter, solicited the orders of Government as to whether or not he should convey the instructions of the Honorable Court in respect to the Nimar villages to the authorities in the Bengal Presidency.

26. Consequent on this application, Government called upon the Acting Agent (Political Secretary's letter No. 88 of the 8th January 1850) to furnish authenticated extracts from the Surinjam lists relating to the Nimar villages, which were, together with an extract, paragraphs 2 to 12 of the Honorable Court's despatch of the 22nd May 1849, No. 15, forwarded to the Government of India (Political Secretary's letter No. 36 of the 15th March 1850), with a

request that instructions might be issued for restoring the villages on hereditary tenure to Chimnajee Vittul Poorundhuree.

27. The Secretary to the Government of India in the Foreign Department replied on the 9th April 1850, No. 973, and intimated that the requisite orders had been issued for the restoration of the villages, which Chimnajee Vittul was accordingly placed in possession of, and now holds.

28. I have thought it advisable to report on these villages separately, leaving the title under which the Surinjam in the Deccan is held by Chimnajee Vittul Poorundhuree for inquiry, if requisite, hereafter; the question for decision in this case appearing to me simply to be whether the Honorable Court of Directors sanctioned the restoration of the Nimar villages on hereditary tenure, under the impression that they had been previously held on the same tenure as the Deccan portion of the Surinjam, and had been through oversight retained by Government when the Deccan portion was restored in 1840; or whether the Honorable Court were aware that the Nimar villages had not been held by Vittulrao Mulhar Poorundhuree at the breaking out of the war; that they had been under peculiar circumstances, and as an act of grace, restored to him, under the Governor General's Sunud, as a *life-grant*; and that they had been *in* 1841, *after* Vittul Mulhar's death, formally declared by the Supreme Government, on a reconsideration of the case, to have lapsed to the State.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 1883.

From W. Hart, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Dated Belgaum, 5th April 1853.

Sir,—I have the honour to submit a report, No. 102 dated 28th February 1853, from my Assistant, Captain Cowper, showing that it was on imperfect information that the Honorable the Court of Directors were induced to sanction the relinquishment to Chimnajee Vittul Poorundhuree, and the continuance to him on hereditary tenure of certain villages and Umuls in Nimar, which, under the deliberate and final orders of the Government of India, declared after reference to the Commissioner in the Deccan, ought to have finally lapsed to Government at the death of Chimnajee's father, the late Vittulrao Mulhar.

2. It does not appear necessary to add anything to what Captain Cowper has stated in his clear report on this case. But with regard to the important fact that the villages in Nimar had not been held by Vittulrao Poorundhuree at the breaking out of the war, as shown in Captain Cowper's 19th paragraph, it may be as well to recall the attention of Government to the Honorable Mr. Elphinstone's letter of the 25th October 1819, which contains the following description of a rule observed by him, and sanctioned by the Supreme Government:—

"No Surinjam ceded to the British Government by the Treaty of 1817, and no Jagheer not actually enjoyed up to the war, to be restored, unless specially directed so to be."

This rule would appear to be doubly fatal to any claim by Poorundhuree to any part of his former Surinjam in Nimar, as, besides not having been enjoyed at the breaking out of the war, it would appear to have been included among the cessions made by the Treaty of Poona, the position of which is thus explained by Mr. Elphinstone, in the 5th paragraph of his despatch No. 78 dated 18th June 1818, to the Governor General :—

"The Peshwa's whole revenue, before the last Treaty, amounted to Rs. 2,15,00,000, of which Rs. 95,00,000 was paid into the treasury, and Rs. 1,20,00,000 allotted to Jagheerdars; of this last sum Rs. 26,50,000 was produced by land in Hindoostan, which had greatly declined in value, and from which the Peshwa derived no benefit whatever.

"This last Rs. 26,50,000, with Rs. 32,00,000 of the amount payable into the treasury, was ceded by the Treaty of Poona, concluded in June last."

3. Enough, however, has, I think, been stated by Captain Cowper, to enable Government to come to a decision on the question submitted in the last paragraph of his report, and to judge how any reply which can be given to it ought to affect, in this particular case, the general sanction given by the Honorable Court of Directors to the settlements proposed by the revised Surinjam lists of 1847.

I have the honour to be, &c.

(Signed) W. Hart,

Inam Commissioner.

Office No. 2750.] No. 89 of 1853.

Political Department.

To. C. Allen, Esq.,

Officiating Secretary to the Government of India, Fort William.

Sir,—With reference to the correspondence noted in the margin, I am

directed to transmit to you, for submission to the Most Noble the Governor General of India in Council, copy of a letter and of its enclosure from Mr. Hart, the late Inam Commissioner, No. 1883 dated the 5th April last, showing that it was on imperfect information that the Honorable the Court of Directors were induced to authorise the continuance on hereditary tenure to Chintamun Vittul Poorundhuree of certain villages and Umuls in Nimar, which, under the orders contained in Mr. Secretary Swinton's letter dated the 28th December 1822, ought to have been resumed.

To the Secretary to the Government of India, No. 36 dated the 15th March 1850.
From ditto, No. 973 dated 9th April 1850.

2. In forwarding these documents, I am desired to add thereto copy of a Minute thereon by the Right Honorable the Governor, concurred in by the Honorable Mr. Blane, dated the 14th instant, and to request that, with reference to the 16th paragraph of the latter document, you will have the goodness to submit to the Most Noble the Governor General in Council the suggestion of this Government that immediate steps may be taken to resume the villages and Umuls in question.

3. The Resident at Indore has been addressed on the subject, in order that any portion of the income which may possibly be in his hands may be withheld, pending further orders from the Government of India.

I have the honour to be, &c.

(Signed) A. Malet,
Chief Secretary.

Bombay Castle, 23rd *June* 1853.

Extract Paragraphs 15 *to* 17 *of a Minute dated the* 14*th June* 1853, *by the Right Honorable the* Governor in Council, *concurred in by the Honorable Mr.* Blane.

15. The fact of both Mr. Warden and Mr. Brown having in their revised Surinjam lists of 1844 and 1847 made no allusion whatever to the correspondence which had passed in 1840-41 between Government and their predecessor, Mr. Mills, which terminated in the refusal of the Government of India to continue these villages to Chimnajee Vittul Poorundhuree, appears wholly unaccountable, as does also the statement made by both those gentlemen that these villages, through "*an oversight,*" had not been continued with the remainder of the Surinjam in the year 1840. Mr. Warden should, I am of opinion, be afforded the opportunity of submitting any explanation upon this subject which may be in his power.

16. I would further propose that copies of Mr. Hart's and Captain Cowper's letters, accompanied by a copy of this Minute, be transmitted to the Govern-

ment of India, in order that immediate steps may be taken to resume the villages in question.

17. The Resident at Indore, also, should receive a copy of our communication to the Government of India, in order that any portion of the revenue which may possibly be in his hands may be withheld, pending further orders from the Government of India.

No. 3233.

FOREIGN DEPARTMENT.

From the OFFICIATING SECRETARY TO THE GOVERNMENT OF INDIA,
To the CHIEF SECRETARY TO THE GOVERNMENT OF BOMBAY.

Dated Fort William, 22nd July 1853.

SIR,—I have the honour to acknowledge the receipt of your despatch dated the 23rd ultimo, No. 89, forwarding copies of a letter and of its enclosure from Mr. Hart, the late Inam Commissioner, and of a Minute recorded thereupon by the Right Honorable the Governor, pointing out that it was on imperfect information that the Honorable the Court of Directors were induced to authorise the continuance, on hereditary tenure, to Chintamun Vittul Poorundhuree, of certain villages and Umuls in Nimar, which ought to have been resumed.

2. In reply, I am directed to acquaint you that as the recommendation of the Government of Bombay, which was generally approved by the Court of Directors, and which, under that approval, led the Government of India in 1850 to restore the Nimar villages that had been resumed, and properly resumed, after full consideration by the Government of India in 1840-41, was founded upon a mistaken statement of the facts of the case, His Lordship in Council agrees with the Government of Bombay in thinking that the error should be at once corrected by the recall of the order of 1850, and the immediate recovery of the villages in question.

3. The Resident at Indore has been directed accordingly.

4. A copy of this correspondence will be duly forwarded for the information of the Honorable the Court of Directors.

I have the honour to be, &c.

(Signed) J. P. GRANT,
Officiating Secretary to the Government of India.

Fort William, 22nd July 1853.

No. 3676 of 1853.

Political Department.

From A. Malet, Esq.,
Chief Secretary to Government, Bombay,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated 18*th August* 1853.

Sir,—With reference to your predecessor's letter and its enclosure, No. 1883 dated the 5th April last, I am directed by the Right Honorable the Governor in Council to inform you that, at the recommendation of this government, the Government of India has directed the immediate resumption of the villages and Umuls therein alluded to, and that instructions have this day been issued to the Agent for Sirdars to erase them from the Surinjam lists.

I have the honour to be, &c.

(Signed) A. Malet,
Chief Secretary.

Bombay Castle, 18*th August* 1853.

Political Department.

To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Poona, 9*th September* 1853.

Sir,—My unexpected departure to Bombay to take my seat in the Council prevented my completing my inquiries, in view to answering your letter No. 2752 dated the 23rd of May last, transmitting one with enclosure from the Inam Commissioner, in which he has attempted to show that two villages, and portions of the revenue of others, were continued on imperfect information to Chimun Rao Vittul Poorundhuree; and adding a *précis* of the proceedings of the Government in respect to them, with the remark that the Government has no means of accounting for the fact of both Mr. Brown and myself having, in our Surinjam lists, made no allusion whatever to a correspondence on the subject between Government and my predecessor, Mr. Mills, which terminated in the refusal of the Government of India to continue these villages, nor for the statement made by both of us that these villages, through an oversight, had not been continued with the remainder of the Surinjam in A. D. 1840.

2. There is only one way of accounting for my silence in respect to the particular correspondence between Mr. Mills and the Government,—viz. that I had not seen it. From A. D. 1834 to A. D. 1842, I had no official connection with the Deccan; during this interval, the two Native officials, who had

aided in the preparation of the Surinjam lists submitted by Mr. Marriott in 1833, had been exchanged for two strangers, so that memory could not aid any of us; and having, since I have been at Poona, referred to the original papers without discovering any mark indicating my having seen them (and I seldom read an important official paper without leaving a mark on it which I can afterwards recognise as mine), I have not the smallest doubt that I had never seen this correspondence when I prepared the Surinjam lists in A. D. 1844; that I ought to have seen this correspondence there is no doubt, and I could not have avoided seeing it if Mr. Mills had compiled his records, as records are now universally preserved, instead of dividing his correspondence into volumes of "Inward and Outward Letters," bound up according to their dates, and quite irrespective of the subjects to which the letters severally related.

3. It does not, however, follow, as it appears to me, that any fraud or wilful suppression took place on the part of the Native servants of the Agent's Office on that occasion, for although on the lists there is only the brief note (I quote from Captain Cowper's copy of it)—"By an oversight this portion of the Surinjam was retained by Government when the remainder was restored to the present incumbent,"—if you will do me the favour to refer to paragraph 19 of my letter to Government dated December 29th, 1844, to which that note was only an accompaniment, you will find me entering into the following detail:—"I have the honour to state that the family of Vittulrao Poorundhuree has produced twenty-one Sunuds or title-deeds, of which fourteen relate to his Surinjam in Poona and Ahmednuggur, *and seven to his estate in Hindoostan*, which last, *I am informed*, has been resumed, although granted by two Sunuds, dated, one in A. D. 1739 and the other in A. D. 1744, *and which should, therefore, be restored, with arrears.*" While the expression in the foregoing passage—"I am informed"—satisfies me that I had no proof before me of what I asserted, it also satisfies me that my subordinates in the Duftur did not conceal from me their belief that the resumption had taken place; and the most probable solution of the difficulty is, that as the correspondence was in the English Office of the Agent for Sirdars, and the land to be resumed in country beyond the limits of this Presidency, and the resumption itself, consequently, not carried into effect through the instrumentality of the Agent for Sirdars, no official note of it was recorded, or at least remembered in the Poona Duftur.

4. Having thus disposed of the difficulty arising from my not alluding to the correspondence between the Government of Bombay and Mr. Mills in 1840-41, I shall now proceed to show,—1*st*, although, had this correspondence been before me, I should most certainly have alluded to it, that I should as certainly not have deviated one point from the course I took in respect to this

Surinjam in consequence of such correspondence, the decision of the Supreme Government having been the decision of a totally distinct question from that before me; and *2nd,* even if it had not been so, that the inquiry originally proposed by me was not only not to be affected by isolated decisions, but that it was on the apparent inconsistency of these local decisions that the Honorable the Court of Directors directed the general inquiry into and decision of these claims on certain definite principles, such inquiry being entrusted to me, though from the delay—extending to no less a period than fifteen months—that occurred in Bombay in disposing of my report, I had quitted India before it was even noticed by the Government which ordered my successor to test the accuracy of my work, and I have, consequently, ever since felt myself divested of all responsibility as to the result.

5. For perspicuity's sake, I dispose of the last-stated point first,—viz. that it was the nature of these local decisions that led to the general inquiry, and which was not to be affected by them. If the Right Honorable the Governor in Council will do me the favour to refer to a letter addressed by me as Deputy Agent for Sirdars to the Government on the 7th November 1832, No. 93, Political Department, he will find that the revision of the Surinjam lists was originally proposed by me, because "so *different* had the decisions sometimes been on cases of a *similar* kind, that no uniform principle could be said to have been established," and that it was, therefore, desirable to prepare "statements to serve in future years to guide decisions, which should exhibit the antiquity of each grant, the claims and condition of the original grantee, and the respectability of the present representatives"; and if the Government will refer, secondly, to the 2nd paragraph of a letter, No. 9 dated February 7th, 1838, addressed by the Honorable the Court of Directors to the Government of India, it will be perceived that this very paragraph of mine is quoted by the Court as explaining the cause of the inquiry ordered; and so far, therefore, from the decisions passed in early years being a light to guide us, they were often considered as beacons to warn us off,—the antiquity of the grant, the claims and condition of the original grantee, and the respectability of the incumbent at the moment, being recommended as the sole basis of the decision.

6. On this communication of mine the Honorable the Court of Directors ultimately issued direct to the Government of Bombay their benevolent instructions contained in their letter dated the 26th of October 1842, directing, irrespective of an "arrangement" proposed by the Bombay Government, which it was admitted "would not have violated any pledge"—irrespective of a "note" by Mr. Secretary Maddock and a Minute by Lord Auckland, advocating a much more extensive resumption than the "Directors contemplated"—irrespective, in short, of all that had gone before,—the Home Government directed that *all* Jagheers which bore dates anterior to A. D. 1751, "as well as those of which

the dates are unknown, but which are known to be ancient, and those of more recent date which were granted in commutation for the resumption of ancient possessions, should be hereditary in the fullest sense of the word; resumption after a second generation, with reversionary pecuniary provision, being the rule" in respect to Surinjams bearing dates subsequent to A. D. 1751, and the accession of the last Peshwa, whose grants were, as a rule, resumed.

7. From the foregoing it results that my only business was to test every claim by these principles, and so far from the decision of the Supreme Government in respect to Poorundhuree's Nimar possessions being the only one a modification of which in favour of the claimant I proposed, it will be observed that it forms but one of a list of no less than twenty-two decisions by the Government resuming Surinjams which I said should be altered.

8. I proceed to show, secondly, that the question before the Supreme Government and that before me in respect to these lands in Nimar was different.

9. The Inam Commissioner has kindly placed at my disposal a compilation of the correspondence on this case, from which I make the following extracts:—On the 10th December 1819, Mr. Chaplin, the Commissioner in the Deccan, wrote to Sir John Malcolm, who was then Agent to the Governor General in Central India, enclosing a "Murathee list of two villages and the Mokassa of *five* others, in Nimar, which were held in *personal* Jagheer by Vittulrao Mulhar Poorundhuree, which it was desirable should be continued to him." Sir John Malcolm answered, January 15th, 1820, that the Supreme Government had appropriated the villages in the belief that they were Surinjam, not Inam.

10. Mr. Chaplin replied that the villages were granted in *personal* Jagheer seventy years before the time he was writing,—before even Holkar's possession of Nimar, to whose authority they were never subjected, *but held of the Peshwa up to the war*, though they may have been subject to interruption from Holkar and Sindia, *as well as other lands of the Peshwa in Nimar.* Mr. Chaplin added, that the claims of those who held their personal Jagheers of the Peshwa were quite distinct from such as held Jagheer grants, as in the case of Holkar alluded to in the letter of the 17th July from Mr. Elphinstone, whose proceedings had been sanctioned by the Supreme Government. Sir John Malcolm next enclosed a letter from Colonel Smith, mentioning that the local authorities maintained that Nugaum and several other villages were given as a *service* Jagheer, and not as a *personal* one, which he the more readily believed from Poorundhuree having had a considerable body of horse in the service of the Peshwa; and that these people said Poorundhuree *seldom* derived any advantage from the revenues of the village, *as it was eternally beset by Pindarees and other predatory Chieftains,* and abandoned, till, at the particular request of the village authorities, the British Government took charge of it. Colonel Smith

thought Poorundhuree's claims preposterous, because the village of Nugaum had been uninhabited by any human creature for fifteen or twenty years, until improved by the industry of an opulent Gosavee, to whom Colonel Smith gave it.

11. Mr. Chaplin now proceeded (April 8th, 1820) to state that Poorundhuree had *Sunuds bearing the Peshwa's seal* for all the villages mentioned in Colonel Smith's letter, in *personal* Jagheer (Zât Surinjam), dated in A. D. 1786-87, and that they *remained in his name in the Duftur accounts, and were considered to be in his possession up to the war,* though Nugaum had been deserted fifteen years. Mr. Chaplin added these important words,—"Vittul Mulhar never had any Fouj Surinjam, *nor had he any troops with the Peshwa.* I apprehend his rights will not be affected by the circumstance of one or more villages having been deserted. It is a common practice for Inamdars to reclaim their lands when they find them to be worth holding."

12. The Supreme Government, on this (July 22nd, 1822) ordered a local inquiry to be made into the claims, *with the view principally* (says the Resident at Indore) *of clearing up the doubts whether the Poorundhuree held the villages* ON A SURINJAMEE OR INAMEE TENURE; and the Assistant in charge of Nimar reported (August 8th, 1822) the information obtained by an examination of Wutundar Patels and Putwarees, who were fifty and fifty-five years of age, to the effect that thirty-six years had elapsed since the gift was made in Surinjamee tenure, which reserved the just right of the British Government to the two villages upon the lapse of the proprietor's life.

13. The village officers assured the Assistant that, *from their earliest recollection, the two villages had been in the possession of the Poorundhuree family, to whose local Collector they had duly paid the revenues.*

14. Possession had been twice interrupted for about one year, once by His Highness Dowlut Rao Sindia, and afterwards by Trimbukjee Denglia, six years before the British accession, though the villagers were unable to explain on what plea, other than force, Sindia could have interfered.

15. As regards the Mokassa of Sangvee, which is the third item held of the British Government, the Assistant said it had not been sanctioned, "as the village was but partially reclaimed to tillage, and the rent-free period had not expired."

16. On this local inquiry, the Resident at Indore adopted the opinion expressed from the beginning, and throughout the inquiry by Mr. Chaplin; and the Governor General in Council (December 28th, 1822) concurred entirely with him in viewing the grant of Chugaum and Nugaum to be simply *a life-tenure of the nature of Zât Surinjamee.* The Supreme Government added to the expression of this opinion, that of its inability to understand on what principle Sir John Malcolm should have bestowed these villages *in free gift or*

Inam, though a qualifying passage in the Sunud showed that he essentially misapprehended the nature of that tenure (Inam); concluding with the remark that it was very doubtful whether Poorundhuree was entitled to receive possession on any footing after many years' total abandonment of them; conceiving that Government amply fulfilled any obligations which the proceedings of the late Agent may have imposed, by acknowledging the tenure in question to be a life Jagheer, *instead of Inam*; and the villages were granted, accordingly, as "hitherto held," viz. on Zât Surinjam, or official tenure for life.

17. If the Government shall be able to follow me through the foregoing sketch of the manner in which Poorundhuree obtained possession of these two villages, it will be apparent that they were first thought by Sir John Malcolm to be *service* Jagheer, and *then Inam*, though even by Sir John Malcolm this tenure was not correctly apprehended. Mr. Chaplin having shown that they could not be *service* Jagheer, for the conclusive reason that Poorundhuree *never served*, and having consistently persisted that they were *personal* Surinjam (Zât Surinjam), the Governor General ordered a local inquiry as to whether the villages were Inam or Zât Surinjam, and pronounced the decision (his doubts as to whether he should receive possession on any footing in consequence of alleged abandonment of the villages notwithstanding) that his Zât Surinjamee tenure,—in other words, an official tenure for life,—should be acknowledged.

18. I leave it to the Government to say, after the perusal of the foregoing *précis* of a volume sent to me from Captain Cowper's own office, whether he was justified in telling Mr. Hart, the late Inam Commissioner (paragraph 3), that the *only* portion of the correspondence between the Nimar authorities which it was of importance to notice was "that one of the villages claimed (Chugaum) had been abandoned by Vittulrao Mulhar Poorundhuree long prior to its occupation by the British Government, as contained in a private letter from Colonel Smith" to Sir John Malcolm; for it was not even (as Captain Cowper alleges) a fact pointed out by Sir John Malcolm himself to Mr. Chaplin, but hearsay on what Sir John Malcolm himself calls a "private letter," *written two years and a half before the local inquiry* undertaken by order of the Government to clear up doubts; the facts elicited by that local inquiry being, not, as this private hearsay has it, that the village of "Chugaum had been abandoned by Vittulrao Poorundhuree long prior to its occupation by the British Government," but that from the earliest recollection of the local authorities, and who had attained the age of fifty, *the two villages had been in the possession of the Poorundhuree family, to whose local collector they had paid the revenues.*

19. In other words, Poorundhuree enjoyed till the British accession all that the "eternal" ravages of the Pindarees left any one to enjoy of the

Surinjam granted to him by the Peshwa under two Sunuds before even Holkar ever went to Hindoostan.

20. I have thus, I think, established that which I undertook to prove,—viz. that the question before the Supreme Government and that before me in respect to these lands in Nimar were different; and even if it had not been so, the inquiry by me was not to be affected by isolated local decisions.

21. The question before the Governor General in Council was—" Is this an Inam or a Zât Surinjam?" The question before me was—" Was this, which has been acknowledged a Zât Surinjam or official tenure for life, as hitherto held, attended, in its origin and continuance, by such circumstances as, according to the concessions made to the Surinjamdars by the home authorities, subsequently to the general settlement of the country, by which ALL *were restored as life-grants only*, and subsequently to the orders of the Government of India on this particular claim, to entitle the Surinjamdar's family to more than the Supreme Government gave him?"

22. Losing sight altogether of the important circumstance that the question, and the only question, before the Supreme Government, was, whether the grant was a free hereditary gift or an official life-grant, great stress is laid, throughout the whole of the recent discussion, on the fact that the Supreme Government pronounced it to be the latter, overlooking that it was so pronounced in contradistinction only to its acknowledgment as an hereditary free gift by Sir John Malcolm; and, above all, overlooking that, in so limiting the alienation, the Governor General in Council only placed this Zât Surinjam on the precise footing of every other Surinjam in the Peshwa's late dominions,—on the precise footing of every man whose name is borne on the Surinjam list; and that to have conceded to Poorundhuree anything except a life-grant would have been to do more for him than had at that time (A. D. 1822) been done even for the Surinjamdars whom the Honorable Court of Directors have since declared to be entitled, by the respect yielded to prescription, to " inheritance in the fullest sense of the word "; for although Mr. Elphinstone left notes for future guidance in the words " Hereditary"—" For life," &c. he told the Governor General that the decision had in no case been communicated, and the Governor General ordered that every fair opportunity should be taken to reduce the Surinjams which in each case of lapse were to be resumed, and, if continued, to be so as an act of grace.

23. In my apprehension, the moment the Supreme Government rejected Poorundhuree's claim to be an Inamdar, and declared him a Zât Surinjamdar, he was placed on precisely the same footing as all other Zât Surinjamdars, and entitled to share in all the privileges thereafter conceded to that class of landholders; and as Mr. Elphinstone originally intended that his Surinjam, including the Nimar villages, should be hereditary, unless it can be shown that it

will not stand the test under which it has found its way into its present place on the lists, I consider him as much entitled to the indulgences of A. D. 1842 as the twenty other Surinjamdars whose Surinjams had been not merely pronounced to be life-grants, but actually resumed by the Government before I entered on the inquiry, but which are now in the quiet possession of the heirs.

24. This brings me to the grounds on which Mr. Hart and Captain Cowper have attempted to show that the Nimar Surinjam was differently circumstanced from that in the Deccan.

25. These reasons are—1*st*, that the villages had not been held at the breaking out of the war, or, as Captain Cowper expresses it, not in possession at the breaking out of the war; and that, under those circumstances, Mr. Elphinstone's arrangements did not contemplate their restoration.

26. It is very remarkable that both these officers of the Inam Commission have abstained from inviting the attention of the Government to the *best* evidence as to possession, viz. the evidence obtained on the spot by the Assistant five years after the war; and how these gentlemen can have overlooked that the Assistant in Nimar reported, on the evidence of two village officers upwards of fifty years of age, that from their earliest recollection the two villages had been in the possession of the Poorundhuree family, to whose local collector they had duly paid the revenues; possession having been twice interrupted only, and that for but one year each time, and by usurpation,—the first having been on the "plea of force" by Sindia, and the last as long as six years before the British accession, at the hands of Trimbukjee Denglia; Mr. Chaplin, with the Peshwa's Sunuds in his hand, and Poona Duftur before him, declaring at the same time that the villages remained in Poorundhuree's name in the Duftur accounts, and were considered to be in his possession up to the war.

27. And if not in Poorundhuree's possession, in whose possession were they?—for the Government will observe, from the annexed extract of a letter from Captain Cowper to the new Inam Commissioner, Mr. Manson, which he has just sent me, that the villages were not in the possession of the only other party entitled to possess them, viz. the Peshwa, to whom they belonged:—

> "The Peshwas' records do not, as far as I am aware, contain any order for the resumption of the villages and Umuls in Nimar, which were continued for life to Vittulrao Mulhar Poorundhuree by order of the Supreme Government; *indeed, I have no reason to believe that they were thus resumed.*" (Captain Cowper, August 9th, 1853.)

28. As to the *interruption* of possession, if the Peshwa himself was so little able to maintain his own supremacy over Sindia as that he withheld, till the Peshwa had ceased to reign, villages ceded through the instrumentality

of the Duke of Wellington, by the Treaty of Surjé Anjungaum, so long before as 1803, does it weaken Poorundhuree's claim to consideration that he was the victim of this powerful Chieftain, and of the Minister whose hands were stained by the blood of an ambassador to his master's court? But even this usurpation was short, and did not, so far as I can discover, last till the war, as asserted by Mr. Hart and Captain Cowper, but ceased, as testified on the spot by Colonel Smith, six years before the British conquest.

29. It is true that the Governor General in Council of that day speaks of the total abandonment of the villages for many years; but, judging from the evidence that was before him, I conclude this abandonment referred to the deserted village of Nugaum only, for the "local collector" duly received the revenues of Chugaum, this "local collector" having been (as I am informed by the last of the hereditary Duftur Karkoons,—whose father and grandfather were in the Duftur, and who was himself employed on the Surinjam settlement under Mr. Elphinstone,—Raojee Pendsay, who is now employed under the Inam Commissioner) a Gosain, to whom Poorundhuree was largely indebted, and to whom, therefore, he assigned the revenues of these two villages.

30. Poorundhuree has informed me that Raojee Pendsay's statement is true, and has given me, as the name of the Gosain, Futtehgeer's *Chela* or *disciple*, Sumbhoogeer; and the Government, from the note set out at the foot of this page,* addressed on the 17th of last month to the Resident at Indore, will see that it was to the Gooroo of this very person to whom Poorundhuree says he assigned his villages in liquidation of his debts, that it was made over by Colonel Smith, and that Sumbhoogeer was Poorundhuree's general agent in Nimar,—thus satisfactorily explaining how it came to pass that the revenue of the villages, though alienated in Surinjam to Poorundhuree, was never remitted to Poona.

31. That he abandoned Nugaum, in the sense in which a man abandons his own house when set on fire by an armed banditti, is quite true: the land was wasted, the dwellings were desolated, and the village "without a light," as the Natives express it; but not because Poorundhuree abandoned them,

* *Mundlasir, August 17th*, 1853.

MY DEAR MR. HAMILTON,—Our letter books here only commence in 1821, so I could not find the letter you allude to, dated March 1820, but Colonel Smith settled Nogawa through "Futtehgeer Mhunt," and his family has continued ever since to be the leading people and bankers of the village; his son (*a*) Sumbhoogeer is the person the Poorundhuree put in charge of Nogawa, and appointed his general agent in Nimar. I propose continuing the village in Sumbhoogeer's management.

Yours most sincerely,
(Signed) R. H. KEATINGE.

(*a*) Disciple? Gosains have no "sons."—(Signed) J. W.

but because hordes of Pindarees carried fire and sword over the plains of India; and it would be a miserable subterfuge, unworthy of the British Government of A. D. 1817, still more of that of A. D. 1853, reigning over an empire, stretching, under the genius and energy of the present Governor General, from the confines of China to those of Affghanistan, to tell one whom Mr. Elphinstone described as "poor and in debt, and who left the Peshwa early"—"You could not hold your own against those freebooters, the extermination of whom was only effected through the instrumentality of a confederacy of all the Muratha powers and of the united armies of the British in India, commanded by the Governor General in person; and you should, therefore, be treated as one who abandoned his post, and be stripped of the indulgence conceded to all other Surinjamdars except yourself."

32. Captain Cowper next asserts that the village of Boorhanuggur—Poorundhuree's claim to which was rejected—was exactly in the position of the Nimar ones. What this position was I have shown, and in Captain Cowper's own book, already referred to, I find evidence, certainly bearing no better authority than my own signature,—but still what must be taken to be true till proved to be false,—as to the condition of Boorhanuggur. It is a report addressed by me, as Agent for Sirdars, to the Government, so long ago as May 4th, 1843; it is as follows:—

> "On reference to the records of the Peshwas' Government, it appears that the portions of the revenue of the village of Boorhanuggur claimed by the petitioner were restored to his grandfather about A. D. 1759, and again entered in the following year as public property, in consequence of its being deserted; *and this was the state in which, according to the Duftur accounts, it continued till the accession of the British Government*, and the Collector of Ahmednuggur reports *that the village has been deserted for one hundred and fifty years, and that there is no record of the petitioner ever having enjoyed what he claims*, and, in fact, there is nothing to enjoy, for the village being deserted, its land must be waste.
>
> (Signed) "JOHN WARDEN."

33. I leave the Government to determine whether Captain Cowper's assertion is borne out by his own record.

34. Captain Cowper's next assertion, paragraph 19, is—"The Nimar villages were included, it is true, in Mr. McDonnell's statement, *but subject to inquiry*, which was afterwards made by Mr. Chaplin, and which proved that they did not, like the Deccan villages, fulfil the terms on which alone Mr. Elphinstone had contemplated the restoration of any holding, whether Surinjam or Inam";—the truth being, so far as I have been able to discover it, that the

amount of Rs. 10,832-0-5¼ which Mr. Elphinstone actually granted* (as proved by the annexed extract, not from Mr. McDonnell's statement, but from Mr. Elphinstone's own Surinjam list) was composed of the items specified below:—

Poona	Rs.	743	14	0
Ahmednuggur		5,650	7	3
Khandeish		1,300	0	0
Sattara		75	0	0
Nimar		3,063	0	0
Total....	Rs.	10,832	5	3

Extract from Mr. ELPHINSTONE'S *List of Jagheers.*

Name.	Class.	Remarks.	Decision.	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.	Jagheer, or Yearly Allowance to be continued. Estimated real Value at present.	Pensionary Provision.	For what Period recommended.
				Rs. a.	Rs. a.		
Vittulrao Poorundhuree, Rs. 20,949; 78 years; resumed Rs. 5,369.	Mootsudees.	He is of the great family of Poorundhuree. He is poor, and in debt. He left the Peshwa early in the war, and returned to his village of Moortemoondwah, but concealed himself to avoid waiting on me when I passed it in April.	To retain the whole of his Jagheer, according to Rule No. 3. Land.	10,832 5¼	4,366 14½	..	Hereditary.

And so far from any inquiry having been left to be made by Mr. Chaplin, he, in his second letter to Sir John Malcolm on this subject, dated January 26th, 1820, says:—" It *was* therefore decided that they (the Nimar villages) should be restored to him (Poorundhuree) by our Government, *in common with the personal Jagheer of all persons considered deserving of this indulgence throughout the*

* "Almost the whole of those *grants* have now been issued"—he, as Governor in Council, wrote to the Government of India as early as May 11th, 1820.

whole of the late Peshwa's possessions. You will observe that the claims of those who held their personal Jagheers of the Peshwa are quite distinct from such as held Jagheer grants from foreign princes, as in the case of Holkar alluded to in Mr. Elphinstone's letter of the 17th July. *As the Supreme Government has already sanctioned the Honorable the late Commissioner's proceedings on these points,* you will not, perhaps, under this explanation, consider a further reference necessary."

35. The foregoing extracts speak for themselves, and I abstain from remark.

36. Captain Cowper's next assertion which it falls to me to notice is that contained in his 25th and 27th paragraphs, that the revised Surinjam lists were sanctioned *generally*, and that it was with reference to this sanction that Poorundhuree was placed in possession.

37. If you will do me the favour to refer to the 20th paragraph of the letter from the Honorable the Court of Directors dated October 26th, 1842, you will observe that THEY *originated* the question as to whether Vittulrao Poorundhuree had been treated sufficiently liberally by the Government,—"The original grant (*i. e.* the Deccan estate) being (they said) of the early date of A. D. 1741, it must, under the principles laid down in the present despatch, be hereditary, and we direct it to be so considered."

38. On this, instructions were issued to me as Agent for Sirdars, to ascertain whether the family of the late Vittulrao Mulhar Poorundhuree possessed any documentary proof of the estate held by the deceased having been granted to his family in the year 1741.

39. In answer to the requisition, I wrote as follows (Agent for Sirdars to Government, dated December 29th, 1844, paragraph 19):—

"In reply to your last paragraph, I have the honour to state that the family of Vittulrao Mulhar Poorundhuree has produced twenty-one Sunuds or title-deeds, of which fourteen relate to his Surinjam in Poona and Ahmednuggur, and seven *to his estate in Hindoostan*, which last, I am informed, has been resumed, although granted by two Sunuds, dated, one in A. D. 1739, and the other in A. D. 1744, and which should, therefore, be restored with arrears. The Poona and Ahmednuggur possessions are secured by Sunuds bearing dates from A. D. 1719 to A. D. 1768. Of these seven are dated subsequently to A. D. 1751; but as all these refer to older grants, and Mr. Elphinstone declares the estate to have existed seventy-eight years in 1819, which gives the year A. D. 1741 as that of the original grant, as set down by me in the list of 1834, I think no mistake can have been made on this point."

40. This order from the Court of Directors was made just one year *after* the resumption of the Nimar estate, and if anybody had then understood there

was any distinction to be made between different portions of the Poorundhuree estate, the Nimar estate being the most ancient, my disregard of this distinction would have been observed by the Government of the day, seeing they scrutinised my lists for the long period of fifteen months, and would not have failed to refer to the order of the Government of India dated the 7th of October 1841 regarding the Hindoostan estate, which order was then recent and in recollection, or, if this had escaped the Bombay Government, it would not have been overlooked by the Court of Directors, whose despatches on this subject are drawn up with an accuracy and care which forbids the supposition that the existence of two distinct estates was not observed by them. Besides, I begin by telling the Government that Poorundhuree had availed himself of the opportunity given him to open out his whole case :—"He has produced (I say) twenty-one Sunuds, of which seven relate to his estate in Hindoostan." Translations of these Sunuds were laid before the Government by Mr. Brown, and were, as I presume, handed on to the Court of Directors; and it is, therefore, the very opposite of the fact, as regards this case, that the revised Surinjam lists were sanctioned *generally* by the Honorable the Court of Directors, as alleged in Captain Cowper's 24th paragraph, for this was one of twenty-two declaredly exceptional cases, regarding each of which it had been advanced by me that a wrong decision had been passed; and as regards this case, no less than twenty-one title-deeds were deliberately considered before the Court released the two estates.

41. After all that has been said, I need not notice separately Captain Cowper's concluding assertion that the Nimar estate had been held under peculiar circumstances, and was restored to Poorundhuree as an act of grace, the circumstances being ordinary circumstances, and the restoration of every Surinjam on every lapse being an act of grace.

42. It is hardly necessary, either, that I should allude to Mr. Hart's opening assertion that the villages and Umuls were continued on imperfect information, and ought to have lapsed to Government on Vittulrao's death; but I must notice his misstatement on a point on which a misstatement is hardly excusable,—viz. the geographical position of the villages of Poorundhuree, and his deductions from this misstatement that the Treaty of Poona, and the Rules based thereon by Mr. Elphinstone, were "doubly fatal" to Poorundhuree's claim.

43. By Article XIV. of the Treaty of Poona dated 13th June 1817,—or just before the war which ended in the conquest of all his dominions,—the Peshwa ceded, with some irrelevant exceptions, to the East India Company, generally, all rights and pretensions, of every denomination, which he possessed in the country to the *north* of the river Nerbudda; and Mr. Hart says that the Surinjam in Nimar would "appear" to have been included amongst the cessions made by

the Treaty of Poona. On this question of geography Mr. Hart might have been expected to report positively. He was, however, altogether mistaken. I have referred to the map, and to the local authorities in Nimar, and have ascertained that the villages are *south* of the Nerbudda, and have no more to do with the Treaty of Poona than they have with the Treaty of Paris; but even if they had, after the abdication of the Peshwa the locality was immaterial. In June 1817, the British Government would not, of course, have recognised alienations of territory ceded to it: if the Peshwa's subjects held lands there, it might have been his business, but certainly not that of the British Government, to make compensation to them, and so diminish the value of the cession; but from the moment the British Government became rulers of the Deccan, these people would, of course, have had the same claim on it which they would have had on the Peshwa's Government; and, moreover, testing this claim by the rule which is said to be fatal to it, we find it a good one, for the Jagheer *was* actually held up to the war, and, by entering it in the Surinjam list, Mr. Elphinstone "especially directed it to be restored"; but, as I said before, Mr. Hart's deductions are drawn from a geographical error.

44. It will be observed that Mr. Mills, in his Surinjam lists, says of Vittulrao Poorundhuree,—"He has lately, also, been deprived by the Nizam, in spite of urgent remonstrances of the Bombay Government, of a Surinjam yielding Rs. 11,000"; and I am informed by Raojee Pendsay, the hereditary Duftur Karkoon alluded to in paragraph 29, that when Poorundhuree pressed this loss on Mr. Chaplin's attention, he always said,—"I have given you your Nimar Surinjam, don't think of that loss any more"; and if this be true, —which from the high character and position of my informant I have no doubt it is,—the Nimar estate was held on far stronger ground than even that in the Deccan.

45. Besides antiquity of grant, the claim and condition of the original grantee, and the respectability of the then present representatives, were to be tests of the degree of consideration which a Surinjamdar was to receive at our hands. To show that Poorundhuree stands this test, as well as that based on records and title-deeds, I need only copy Mr. Elphinstone's note opposite his name in the Surinjam list—"He is of the great family of Poorundhuree. He is poor, and in debt. He left the Peshwa early in the war, and returned to his village of Moortemoondwah, but concealed himself to avoid waiting on me when I passed it in April."

46. To recapitulate:—I have shown that I had never seen, and, therefore, could not have alluded to the correspondence between Mr. Mills and the Government; that no wilful suppression of it is, however, to be suspected, as the merits of the claim on the Nimar lands were fully discussed in consequence of a specific reference from the Court of Directors; that that correspond-

ence related to a question totally different from that before me; that in recommending the manner in which effect was to be given to the Surinjam settlement of the Court of Directors, it was proposed by me to set aside twenty-two more decisions of the Government, the nature of such decisions having, indeed, in some sort led to the new settlement; that the Nimar estate was held on titles bearing date anterior to A. D. 1751, was in possession up to the war, was included in Mr. Elphinstone's Surinjam list and marked "hereditary," and was hereditary, by the principles of the new Surinjam settlement, "in the fullest sense of the word"; that the Assistant Inam Commissioner, Captain Cowper, has told (paragraph 25) his official superior, Mr. Hart, that it was with reference to the *general* sanction of the Court of Directors to the revised Surinjam lists that the Nimar villages were restored, a deliberate and final order of the Government of India having, added Mr. Hart to the Government, declared them lapsed,—the truth being that before I even laid my hand on the revised lists, or even heard of the task that was to be committed to me, the Honorable the Court of Directors themselves singled out this man's case as one in which, as regarded his villages in the Deccan, want of consideration had been shown to him by the Bombay Government in conceding, for the period of a *second* life only, what, in virtue of a Sunud dated A. D. 1741, Mr. Elphinstone declared "hereditary," and directed the Bombay Government not to make any more references to England, not to ask for a general sanction, or any other sanction, before they acted, but to consider the Surinjam hereditary, on the principles laid down by them; and Poorundhuree availed himself of the handsome manner in which the Honorable Court, without even his petitioning them, had advocated his cause, to bring forward his whole case, and show that still harder measure than that which he had received of the Government of Bombay had been dealt out to him by the Government of India, in allowing him his Nimar villages for *one* life only instead of two, although they were held under a more ancient title, dated prior to A. D. 1742; were, equally with the Deccan villages, declared "hereditary" grants by Mr. Elphinstone; and were, moreover (and this is a very strong point, because unknown to the Governor General in Council who passed the original decision, and to his Lordship in Council who has now directed the resumption of the villages), taken as compensation for a Surinjam of more than three times their value, which Poorundhuree held in the Nizam's country, and which that prince would not surrender.

47. It is true that I answered this special and particular reference to Poorundhuree's case in a letter on the whole of the Surinjams; but, as I have already shown you, so far from this case being treated "generally," it was handled by me, and afterwards by Mr. Brown, individually and particularly, it being one of two instances only in which the Sunuds themselves were

translated and sent to England in support of the decisions, and this because the Honorable Court had singled out the man's case, and ordered a reconsideration of it.

48. The orders of the Government of India in regard to Nimar were no more final than those of the Bombay Government in regard to the Deccan; and that he so considered the matter was evinced by the alacrity with which the villages were restored when the Governor General in Council heard of the final orders of the Court of Directors.

49. And I state my opinion, respectfully but unreservedly, that to resume these villages without a reference to England is at once to disobey the home authorities and violate public faith with the son of a poor and loyal subject, who abandoned the Peshwa's standard as soon as the British flag was hoisted, and all because a Colonel Smith wrote that a village which had been burnt down by Pindarees had "run into thick jungle," and was not inhabited by "human creatures"; and added, on hearsay, two *statements*, in respect to both of which he was proved to be quite wrong,—viz. that the other village was a *service* Jagheer and had been abandoned by Poorundhuree's manager,—a personal and local inquiry having two years afterwards established that Colonel Smith had been misinformed, and that the tenure was personal, and not for service, the possession of Poorundhuree from time immemorial having been only twice interrupted, and that by force and usurpation, and the last dispossession having ceased six years before the British accession.

50. I, therefore, close this (I am afraid) tedious letter by a repetition of the opinion which led to the whole discussion,—"By an oversight"—an oversight of the principles laid down by Mr. Elphinstone in A. D. 1838, and sanctioned by the home authorities—"this portion of Poorundhuree's Surinjam was retained by Government when the remainder was restored to the present incumbent."

51. I trust the Most Noble the Governor General in Council will permit the two villages and the Umul of Sangvee to remain in Poorundhuree's possession till the sentiments of the Honorable the Court of Directors on the present correspondence shall have been obtained.

I have the honour to be, &c.

(Signed) J. WARDEN,
Late Agent for Sirdars.

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46	On Vittulrao Mulhar's death in 1840, the Nimar portion of the Surinjam resumed, and the Deccan portion continued to his son, Chimnajee Vittul.
47	Péta Boorhanuggur shown by the Collector of Ahmednuggur to have been held by Vittulrao Mulhar up to his death in 1840.
48 and 49	Chimnajee Vittul's request for the restoration of the Nimar villages negatived by the Bombay Government, on the report of the Agent for Sirdars, Mr. Mills.
50 to 55	The subsequent recommendation by the same officer, that the Nimar villages should be restored to Chimnajee Vittul, made on erroneous grounds, and finally negatived by the Government of India, the decision being communicated to Mr. Mills.
56 to 59	The orders of the Honorable Court regarding the Deccan Surinjam, issued in 1842, referred *solely* to its date of original grant.
60 and 61	The Deccan and the Nimar Surinjams both entered, and in both cases incorrectly entered, in Mr. Warden's lists of 1844, the former being represented as wholly granted before A. D. 1751, whereas a large portion was granted subsequently to that year, and the resumption of the latter, under the recent and deliberately discussed orders of 1841, being described as having taken place "by an oversight." The Mokassa Umuls of four villages in Nimar, which had *never been restored at all* to Vittulrao Mulhar, also entered as to be continued to his son.
62 to 64	The foregoing entry in Mr. Warden's lists preserved on their revision by his successor, Mr. Brown, who furnished translations of Sunuds for the Nimar villages, but *not* of the Sunuds for the villages in the Deccan, the original date of grant of which had been, and continued to be erroneously stated.
65 to 67	The Nimar villages restored, and large arrears paid to Chimnajee Vittul Poorundhuree, consequent on the foregoing erroneous statement in the Surinjam lists, which were generally approved of by the Honorable Court of Directors.

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68 and 69	Captain Cowper's report bringing these errors to notice, and the Inam Commissioner's letter submitting this report to Government.
70 and 71	The resumption of the Nimar villages recommended by the Bombay Government, and ordered by the Government of India, on the above report.
72	The Agent for Sirdars informed accordingly, and ordered to erase the Nimar villages from the Surinjam lists.
73	The Honorable Mr. Warden, as the late Agent for Sirdars, requested by Government to explain the erroneous statement in the lists.
74	The Honorable Mr. Warden's reply to Government forwarded for Captain Cowper's explanation on the observations therein made.
75	The information regarding the Nimar villages afforded by the Surinjam lists of 1844 and 1847 can only be correctly designated as "most imperfect."
76	The faulty arrangement of the Agent's records, which existed when Mr. Warden succeeded Mr. Mills in 1813, still in force.
77 to 80	The erroneous statements in the Surinjam lists must apparently have originated in wilful suppression by the Agent's subordinates of the information which was on record, while the explanation now offered on this point by the Honorable Mr. Warden cannot, *on his own previous showing*, be accepted.
81	The above view of the case confirmed by what has been discovered and reported by Captain Cowper regarding other Surinjams, and especially in regard to the Deccan portion of this one (Poorundhuree's).
82	The Honorable Mr. Warden apparently mistaken in stating that his report on the Surinjams was not even noticed by the Government before his departure from India.
83	The "local decisions" on Surinjams to which the Honorable Mr. Warden has referred differed entirely, as to the grounds on which they were passed, from the decision of the Supreme Government in regard to the Nimar villages, and it is apparently, therefore, a consequence that no comparison drawn between the one and the other can hold good.
84 and 85	The Honorable Court did not, apparently, issue the orders upon which the lists of 1844 were directed to be framed, irrespective of the

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	Governor General's opinion, and still less "irrespective of all that had gone before."
86 and 89	The above orders of the Honorable Court had no reference whatever to possession at the breaking out of the war, or to the Rules regarding such possession, which had remained in full force as originally passed, and under which the Supreme Government had decided in the case of the Nimar villages.
87	Out of the twenty-two Surinjams referred to by the Honorable Mr. Warden, as those the restoration of which he recommended in the lists of 1811 because they had been granted before A. D. 1751, the Nimar Surinjam was the only one the restoration of which was precluded by other reasons which ought to have been, but which were not stated.
88	The fact brought to notice by the Inam Commissioner was, however, quite a distinct one; it was that a deliberate and full discussion of the Government of India had been described in the lists as "an oversight."
90 to 92	The Honorable Mr. Warden, in describing the restoration of the Nimar villages to Vittulrao Mulhar Poorundhuree, has omitted to state that they were restored by a *Sunud specially* providing for their resumption at Vittulrao's death.
93	Is the term "official tenure" correctly applicable to these Surinjams, *as now held ?*
94 and 95	Captain Cowper did not, in his former report on the Nimar villages, withhold from the Government any information regarding them of which he was in possession.
96	A portion of Captain Cowper's former report has been misquoted.
97	Reasons for noticing fairly and fully every point now brought forward by Mr. Warden.
98	Captain Cowper's statement that Sir John Malcolm had furnished certain information to the Deccan Commissioner, apparently, in accordance with official usage.
99	Reasons for considering certain correspondence relating to the Nimar villages really, though not nominally public.
100 to 104	Certain information to which the Honorable Mr. Warden attaches

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	great value, does not, apparently, affect Captain Cowper's report of the 28th February last on the Nimar villages.
105	It does not appear that every village in Nimar was at the breaking out of the war found, like those of Poorundhuree, in a wholly abandoned state.
106 to 109	The Nimar villages were not continued by the Supreme Government as the other Surinjams were, but were specially ordered to be resumed at the incumbent's death; and their continuance at all was in fulfilment of an obligation imposed on the Government by the error of their Agent, Sir John Malcolm.
110	The Nimar villages ought not, apparently, to have been entered in the lists of 1844 at all; certainly not without full explanation.
111	This explanation now *for the first time* afforded.
112 to 114	Neither the Inam Commissioner, Mr. Hart, nor his Assistant, Captain Cowper, have "abstained" from inviting the attention of Government to anything bearing on the case reported on and within their knowledge, much less have they suppressed the "best evidence" forthcoming in favour of a claimant.
115	The fact of Poorundhuree's Nimar villages having been found abandoned was known to the Deccan Commissioner, Mr. Chaplin, and alluded to by him.
116	Poorundhuree's "right of possession" was not "in force" at the breaking out of the war.
117 and 118	Mr. Elphinstone's orders regarding "right of possession."
119	These orders sanctioned by the Supreme Government, who must have had them in view when afterwards deciding on Poorundhuree's claim to the Nimar villages.
120	The application of these orders illustrated by the case of a portion of the Surinjam of the Wamorekur family.
121	The temporary interruption of enjoyment by Sindia and Trimbukjee Denglia, to which the Honorable Mr. Warden has alluded, not hitherto referred to at all by Colonel Smith, Mr. Hart, or by Captain Cowper; yet, supposing it to have lasted up to the war, it alone would have been fatal to Poorundhuree's claim to the Nimar villages.
122	Evidence of the abandonment by Poorundhuree not of one, but of all

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	the Nimar villages on which he preferred claims, was before the Supreme Government when they passed a decision in 1822.
123	The hereditary Duftur Karkoon, Raojee Pendsay, can have no personal knowledge of the state of the Nimar villages in 1817, as he was then many hundreds of miles off, at Poona, and as he has never visited them during his lifetime.
124	Neither can Chimnajee Vittul Poorundhuree (the present representative of the family) possess any such knowledge, as he was not then born.
125	The information which the Honorable Mr. Warden has quoted regarding the Gosavee to whom the Nimar villages are said to have been mortgaged by Poorundhuree must, if correct, be held to corroborate the evidence obtained by Colonel Smith that they were found at the breaking out of the war in an abandoned state.
126 to 129	Reasons for deprecating the extension of a discussion regarding an error in the Surinjam lists, to questions such as the policy and power of the British Government, or the poverty and loyalty of its subjects.
130 to 135	The grounds upon which Captain Cowper reported Pétah Boorhanuggur to have been, at the breaking out of the war in 1817, exactly in the position of the Nimar villages.
136 to 139	Mr. Elphinstone's arrangements were not only subject to inquiry, which Mr. Chaplin subsequently made, but were materially altered consequent on that inquiry.
140	How Mr. Chaplin's inquiry affected the Nimar villages.
141 and 142	Grounds for designating the Honorable Court's approval of the revised Surinjam lists a general one.
143	The orders of the Honorable Court issued in 1842 had no reference to the Nimar Surinjam, the resumption of which was incorrectly represented in the lists of 1844, and the Agent's letter transmitting the lists entirely failed to correct the error.
144 and 145	As neither the Bombay Government nor the Honorable Court adverted in any way to this error, it may be presumed that they were not aware of it.
146	Chimnajee Vittul Poorundhuree does not appear to have stated the whole of his case to the Agent for Sirdars in 1843, but to have withheld a portion of it materially affecting the Nimar villages.

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147	Mr. Hart, the late Inam Commissioner, in supposing the Nimar villages to have been ceded by the Treaty of Poona, was probably misled by the wording of a portion of one of Mr. Elphinstone's letters on the subject.
148	The mere entry of this or any other Surinjam in Mr. Elphinstone's lists neither ensured its restoration, nor conveyed any *special* direction that it should be restored.
149 to 151	It does not appear possible that Mr. Chaplin could have restored the Nimar villages in commutation for anything held in the Nizam's country.
152	Additional proof now afforded of the necessity of receiving with extreme caution oral evidence similar to that of Raojee Pendsay, the hereditary Duftur Karkoon.
153	A full discussion of the Nimar case was prevented by the erroneous statement in the Surinjam lists.
154	The Agent's letter transmitting the lists of 1844 rather confirmed than remedied this error, and afforded information regarding the Deccan portion of the same Surinjam which has now been discovered to be equally erroneous, and, apparently, the result of deliberate fraud.
155	Mr. Hart, in designating as final the decision of the Supreme Government, could not, apparently, have intended to ignore the controlling authority in England.
156	Colonel Smith, who made the earliest inquiry regarding the condition of the Nimar villages, was an officer of much higher rank, and probably, therefore, of greater experience, than Lieutenant Douglas, who investigated the matter at a later period.
157	The military Surinjam of the uncle and cousin of Vittulrao Mulhar Poorundhuree, probably, confounded with his own personal holdings.
158	Lieutenant Douglas must, apparently, have obtained information regarding the condition of the Nimar villages just as Colonel Smith did—from the statements of others.
159	The Supreme Government, in adhering, in 1841, to the decision passed in 1822, must have done so with a full knowledge, and not by an oversight, of the principles laid down by Mr. Elphinstone in 1838 and sanctioned by the home authorities.

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160	The Mokassa Umul of four out of five of the Nimar villages ought not, under *any* circumstances, to have been entered in the Surinjam lists of 1844 and 1847, *as they had never* been held at all.
161	Circumstances which have transpired since the revision of the Surinjam and pension lists was ordered, and which have an important bearing upon the present discussion.

(Signed) T. A. COWPER, Captain,
Assistant Inam Commissioner.

No. 535 OF 1853.

From Captain T. A. COWPER,
Assistant Inam Commissioner,

To C. J. MANSON, Esq.,
Inam Commissioner.

Dated Poona, 30th November 1853.

SIR,—In returning the Honorable Mr. Warden's letter dated the 9th September last, to the address of the Chief Secretary to Government, explaining the circumstances under which the Hindoostan portion of the Surinjam of Chimnajee Vittul Poorundhuree was erroneously entered in the lists of 1844 as having been resumed " by an oversight," and which accompanied your letter No. 2578 of the 29th idem, I have the honour to submit the report therein called for.

2. To render my explanation as complete as possible, it will be necessary in the first instance to state exactly what has occurred with regard to the Surinjam in question from the period at which the Deccan was conquered to that of my bringing to notice, in my letter No. 102 of the 28th February 1853, the grave error committed in framing the Surinjam lists of 1844 and 1847; and, having done this, I shall be in a position to notice, with certainty and effect, the several portions of the Honorable Mr. Warden's letter which have to be tested, as far as I am concerned, solely by that which is already on official record.

3. At the outset, however, I would solicit attention to the fact of my having in my previous report, No. 102 of the 28th February 1853, confined

myself to bringing to the notice of Government a specific erroneous statement made in the Surinjam lists of 1844, and repeated in the revised lists of 1847, and which it seemed of importance to correct, inasmuch as on it, and on it alone, the orders of the Honorable the Court of Directors appeared to have been issued.

4. I particularly solicit attention to this fact, because it is a simple one, easily disposed of; because it remains exactly in my opinion as it did, and as I represented it to the Government; and because almost the whole of the Honorable Mr. Warden's letter is devoted to the discussion of questions to some of which I have never alluded at all, and *none* of which I have hitherto attempted to explain at any length, under the impression that such an explanation would have been foreign to the subject-matter of my report.

5. It is of importance to determine with exactness the meaning of Mr. Elphinstone when he laid down as a general rule that nothing should be continued to individuals of which they were not in possession when the war with the Peshwa broke out, as this is a point on which the Honorable Mr. Warden has laid much stress.

6. On this subject the Commissioner's orders (in his circular letter to the Collectors, dated the 27th June 1818) were, it appears to me, clear and explicit; they were,—

> "No right to possession is ever intended to be recognised that was not in force at the breaking out of the present war."

This order had reference specially to Inams, and applied, therefore, certainly with equal, and probably with greater force to Surinjams held on a much less permanent tenure.

7. The rule was, however, specifically applied to Surinjams at a later date, when the preparation of lists of all holdings of this description which it was proposed to restore was undertaken. On this occasion Mr. Elphinstone laid down general Rules (forwarded to the Government of India with Mr. Elphinstone's letter dated the 25th October 1819) for the guidance of those employed, and the 7th of these Rules declared,—

> "No Jagheer not *actually** enjoyed up to the war was to be restored, unless specially directed so to be."

8. The precautions observed in framing these lists of Jagheers, and the method of obtaining the requisite information, were matters which Mr. Elphinstone deemed it necessary fully to explain to the Governor General in a despatch dated the 25th October 1819, and the 2nd, 3rd, and 5th paragraphs of which are below quoted. I would beg attention especially to the 3rd para-

* *Italicised* by Captain Cowper.

graph, as I shall have to revert to it hereafter (see paragraphs 21, 22, 138, and 139 of this letter) in connection with a point of some importance alluded to by the Honorable Mr. Warden:—

"2. The first step in this operation was to extract from the Peshwas' Duftur a full account of each Jagheer, and to ascertain as correctly as possible the character and history of each Jagheerdar, with the time when he made his submission to the British Government. This was done immediately after the war.

"3. The Collectors were next furnished with lists of the personal Jagheers, and requested to ascertain their actual value, and whether they were in force up to the breaking out of the war."

"5. The investigation was now committed to Mr. McDonnell, who proceeded to compare the statements of the Jagheerdars with those drawn up in the Duftur, checking both by the accounts received from the Collectors. A complete register was framed on this comparison, showing the name of the holder of each Jagheer, the date and nature of the grant, the situation of the lands, and the sources of the revenue when not drawn from land, with the Kumal or highest revenue, the revenue as stated by the Jagheerdar, and actual collections as reported by our officers."

9. Mr. Elphinstone's Rules were adopted and approved of by the Supreme Government in their Secretary's letter of the 4th March 1820, in the 2nd and 3rd paragraphs of which it was stated,—

"2. The contents of these despatches have been for some time under the consideration of the Governor General in Council.

"3. His Lordship recognises in them an adherence to the principles laid down in the instructions of 26th September 1818."

10. I now come to the application of these Rules and orders to the Surinjam which was claimed at the introduction of the British Government by Vittulrao Mulhar Poorundhuree. The result of Mr. McDonnell's inquiry (see paragraph 8 of this letter) was recorded in the following terms:—

"No. 7.—Vittulrao Poorundhuree.—Exd.

"*Poona.*

Moujé Hurnee, Turuf Neerthuree, Prant Poona ......Rs.	324	8
Moujé Tanklee, Turuf Sandus Prant, two Umuls, Mokassa and Babtee	216	0
Moujé Mandway, Kurryat Sasoor, Prant Poona, Mokassa Umul	78	8
Moujé Vursolee, Turuf Nanay Mawul, Mokassa Umul.	77	14

15 beegas of land in Moujé Wanowdee, Turuf Havailee, Prant Poona ....Rs.	30	0
20 ditto of ditto Kurzay, Turuf Neerthuree	17	0
50 ditto of ditto Bamboordee, Kurryat Sasoor........	125	0
Total in Poona....Rs.	868	14

" *Ahmednuggur.*

Moujé Pimpulnair, Turuf Nighoz, Prant Joonere......Rs.	1,733	8
Mokassa, Babtee, and Surdeshmookee of Moujé Chowrana Boodrook, Turuf Nuggur Havailee	288	9½
Mokassa, Babtee, and Sahotra of Pétah Boorhanuggur, Turuf Nuggur Havailee	567	9¾
Moujé Vuddoolay, Purguna Shewgaum..............	2,500	0
Mokassa, Babtee, Sahotra, and Neemchowtaiee Umuls of Moujé Moortee, Purguna Soopa	441	12
Mokassa of Moujé Vassaray, Purguna Akolay........	119	0
Total in Ahmednuggur....Rs.	5,650	7¼

" *Khandeish.*

Mokassa, Babtee, and Sahotra of Moujé Antervelly Tembé, Purguna Umber ....Rs.	475	0
Mokassa, Babtee, and Sahotra of Moujé Muchindra Chincholee, Purguna Umber	625	0
Mokassa Umul of Moujé Pargaum, Purguna Wun	200	0
Total in Khandeish....Rs.	1,300	0

" *Hyderabad.*

Mokassa, Babtee, and Surdeshmookee, Moujé Nandray, Purguna Kurrood ....Rs.	1,001	0
Ditto ditto ditto Moujé Wudalee, Purguna Chandore ..	300	0
Ditto ditto ditto Moujé Vassadee, Purguna Nandray ..	200	0
Ditto ditto ditto Moujé Hursoday, Purguna Chandore..	1,100	0
Ditto ditto ditto Moujé Parrolay, Purguna Punch Gowhawn	640	0
Ditto ditto ditto Moujé Nair, Purguna Ankote........	525	0
Moujé Soongaum, Purguna Jamood	5,765	0
Total in Hyderabad....Rs.	9,531	0

" *Sattara.*

Half a chahoor of land in Moujé Padlé, Sumut Koraygaum, Prant Waee ....Rs.	300	12

One quarter of a chahoor of land in Moujé Bhooinj, Sumut Neemb, Prant Waee ....Rs.	75	0
14 beegas of land in Kusba Mannay Rajooree, Prant Meeruz	35	0
One quarter of a chahoor and 20 beegas of land in Moujé Rétréhurnax, Purguna Kassaygaum	125	0
Total in Sattara....Rs.	535	12

" *Sindia.*

Moujé Cheggan Muknay, Purguna Khadway ....Rs.	1,500	0
Mokassa Moujé Tazoo, Purguna Pargaum	50	0
Total.... Rs.	1,550	0

" *Holkar.*

Moujé Naggaway, Purguna Murdana, Sircar Beejagur.Rs.	1,288	0
Mokassa Umuls of five villages, viz. Moujé Buhadurpoora, Purguna Murdana, Moujé Ichapoor, Purguna Wurood; Moujé Ooomurtee, Purguna Murdana; Moujé Boree, Purguna Sangvee; Moujé Sangvee, Purguna Kanapoor.	225	0
Total....Rs.	1,513	0
Grand Total Jagheer....Rs.	20,949	1¼

" Inam.

" *Poona.*

120 beegas of land in Moujé Gurraday, Turuf Kurray Puttar ....Rs.	100	0
120 beegas of land in Moujé Rajevadee, Turuf Kurray Puttar.	100	0
60 beegas of land in Moujé Pissaway, Turuf Kurray Puttar.	50	0
Total....Rs.	250	0

" *Sattara.*

120 beegas of land in Moujé Tánkla, Purguna Kassaygaum......................................Rs.	125	0
Grand Total Inam....Rs.	375	0
Grand Total....Rs.	21,324	1¼

" *Note.*—The Mokassa of Moujé Hurnee, Turuf Neerthuree, in Poona, amounts to Rs. 88, and belongs to Government.

" 7. The Mootsudee has given a statement of what he held up to the war at Rs. 21,037-14-0; this includes his Inams. In it he does not claim the Rs. 125 on Bamboordee, Poona Division, or the Rs. 160 on Mannay Rajooree and Rétréhurnax, in Sattara,—in all Rs. 285; in other respects his statement as to claims agrees exactly with the Duftur accounts, and very nearly the same valuation. The only differences between the district accounts and the Duftur are the following:—The Mokassa of Pargaum, in Khandeish, is stated not to belong to him, nor the land in Padlé, in Sattara; and he has given away his lands in Bhooinj and Tanklee, in the Sattara districts, to others. The lands not claimed by him, but shown by the Duftur accounts, are returned by those from the districts as being in his possession up to the war. The collection by the Ahmednuggur accounts amounts to Rs. 1,661-14½ only, and by the Khandeish Rs. 490. He has stated his receipts from all sources to be Rs. 12,000. The resumptions from him, and allowances discontinued, he estimates at Rs. 7,381-8, besides three kooruns, three khundies of wheat, and three villages given him by others in the Nizam's country, and he complains that Rs. 92 of land which he held in Inam were included in his Surinjam. He had also, he says, Dustuks for exemptions from customs for a certain number of bullocks, and from the Wuncharace of 5,000 sheep."

11. On the 15th October 1819, an order of release (Chor Chittee) was issued by Mr. Elphinstone for a *portion* of the holdings specified in Mr. McDonnell's memorandum. The items which were included in this order of release are shown below; some of them are entered, it will be observed, under the head of different Collectorates from those under which they appeared in Mr. McDonnell's memorandum, but this was merely owing to alterations which had in the interval been made in the territorial charges of the several Collectors:—

" *Poona Collectorate.*

The village of Hurnee, Turuf Neerthuree, Prant Poona, exclusive of Mokassa ....Rs.	324	8	0
The Mokassa and Babtee Umuls of the village of Tanklee, Turuf Sandus, Prant Poona	216	0	0
The Mokassa Umul of the village of Mandwah, Kurryat Sassoor	78	8	0
The Mokassa Umul of the village of Wursolee, Turuf Nanay Mawul	77	14	0
The village of Pimpulnair, Turuf Nighoz, Prant Joonere.	1,733	8	0

	Rs.	a.	p.
The Mokassa, Babtee, Sahotra, and Nimchowtaiee Umuls of the village of Moortee, Purguna Soopa . . Rs.	441	12	0
15 beegas of land in the village of Wanowree, Turuf Havailee	30	0	0
20 ditto in the village of Kurunja, Turuf Neerthuree . .	17	0	0
Total in Poona . . Rs.	2,919	2	0

" *Nuggur Collectorate.*

The Mokassa, Babtee, and Surdeshmookee Umuls of the village of Chowrana Boodrock, Turuf Nuggur Havailee . . . . Rs.	282	9	6
The Mokassa, Babtee, and Surdeshmookee Umuls of Pétah Boorhanuggur, Turuf Nuggur Havailee	567	9	9
The village of Wadolee, Purguna Shewgaum	2,500	0	0
The Mokassa Umul of the village of Wasreh, Purguna Akolay	119	0	0
The Mokassa, Babtee, and Sahotra Umuls of the undermentioned villages in Purguna Umbe :—			
Antervelly Tembé	475	0	0
Muchindra Chincholee	625	0	0
The Mokassa Umul of the village of Pargaum, Purguna Wun	200	0	0
The Mokassa Umul of the village of Tazoo, Purguna Pargaum	50	0	0
Total in Nuggur . . Rs.	4,825	3	3

" *In Suttara.*

One quarter of a chahoor of land in the village of Bhooinj, Sumut Neemb, Prant Waee . . . . Rs.	75	0	0

" *In Nimar.*

The village of Chugaum Mukana, Purguna Khandeish . . . . Rs.	1,500	0	0
Ditto of Nugaum, Purguna Murdana	1,288	0	0
The Mokassa Umul of the village of Buhadurpoor, Purguna Murdana . . . . Ditto ditto ditto Ichapoor, Purguna Wurood. Ditto ditto ditto Oomurtee, ditto Murdana. Ditto ditto ditto Boree, ditto Sangvee. Ditto ditto ditto Sangvee, ditto Kanapoor.	225	0	0
Total in Nimar . . Rs.	3,013	0	0
Grand Total released . . Rs.	10,832	5	3 "

12. It is to be explained that these and all other orders of release (Chor Chittees) which Mr. Elphinstone issued at the first occupation of the country were *provisional* merely, and subject to future inquiry. As one of the most distinct declarations of this sort under Mr. Elphinstone's own hand and seal which I have met with, I may quote the following letter, addressed by him under date the 10th July 1818 to the Resident at the Nizam's Court :—

"I beg you will have the goodness to cause to be restored to Ruttunsing Jadow Rao the village of Tongaum, Purguna Goongootee, upon his proving that he held it before the war; but it is to be understood to be liable to investigation hereafter."

13. In Mr. Elphinstone's lists of Jagheers transmitted to the Supreme Government on the 25th October 1819, Vittulrao Mulhar's name was entered as No. 7 in the Class of "Mootsudees"; the following is an extract from the lists :—

Number.	Name.	Class.	Remarks.	Decision.	Total Amount of Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued.			For what Period recommended.
							Kumal, or greatest recorded Collection.	Estimated real Value at Present.	Pecuniary Pension.	
							Rs. a.	Rs. a.		
7	Vittulrao Poorundhuree.	Mootsudees.	He is of the great family of Poorundhuree. He is poor, and in debt. He left the Peshwa early in the war, and returned to his village of Moortemoondwah, but concealed himself to avoid waiting on me when I passed it in April.	To retain the whole of his Jagheer, according to Rule No. 3. Land.	Rs. 20,949, besides resumed by Bajee Rao Rs. 5,369.	78	10,832 5¼	4,366 14½	..	Hereditary.

14. Thus, it will be seen that the portion of the Surinjam entered in Mr. Elphinstone's lists as "to be continued," was that for which the order of release had been issued on the 15th October 1819, and with regard to which I would here notice,—

1*st.*—That the *whole* of the holdings in the Nizam's territory, valued (see paragraph 10 of this letter) at Rs. 9,531, were *excluded.*

2nd.—That the Petah of Boorhanuggur, in the Amednuggur Collectorate, valued (see paragraph 10 of this letter) at Rs. 567-9-9, was *included.*

15. Such was the earliest British record of this holding (see paragraphs 10 to 14 of this letter). It must not, however, be understood that it was altogether a correct one, or that it was an exact statement of what was eventually restored to each individual. It was neither the one nor the other; and this I have already explained at length in paragraphs 31 and 32 of my report No. 163 of the 2nd May 1853, so that I need not here more particularly advert to the subject; it will suffice to repeat that with regard to these lists—

"A careful examination of them has satisfied me that they should always be referred to in connection with the other forthcoming English and Murathee records, and that they should be held to be authoritative only after collation with these documents. Of course, I here refer to the *detail* of the lists."

16. Taking events in the order of their occurrence, I must here advert to the Governor General's decision in regard to the future continuance of the Jagheers, many of which Mr. Elphinstone had marked "hereditary." In regard to these it was observed in paragraph 13 of a letter from the Secretary to the Supreme Government dated the 4th March 1820,—

"13. With reference to those grants which it is proposed to make hereditary, the Governor General doubts the policy of making any grants hereditary which may justly be put on the footing of life-grants. By keeping them as life-grants, Government is by no means excluded from the power of renewing them if it should be deemed expedient to do so, and every renewal will be a fresh act of grace conferred on the individual receiving it. But by declaring those grants to be hereditary, Government would be precluded both from resuming its rights when it might be necessary to do so, and from conferring favours on the descendants of the present grantees, and would thus be deprived of a probable source of future improvement in revenue and every other branch of civil administration, as well as the means of winning attachment by personal obligation."

17. I have recorded these instructions because I shall have occasion to refer to them to show that they were very different from those *specially* issued at a subsequent date (see paragraphs 32 to 42 of this letter) with regard to the continuance *for life* of the Nimar villages to Vittulrao Mulhar Poorundhuree.

18. Mr. Elphinstone transmitted his lists of Jagheers to the Supreme Government on the 25th October 1819, and a few days afterwards left Poona for Bombay, to assume charge of the Government of the Bombay Presidency. He was succeeded as Commissioner by Mr. Chaplin, on whom, therefore, devolved

the completion of Mr. Elphinstone's arrangements. That this was not a slight task and that a great deal remained to be done, may be inferred from the fact that it was not until the 28th October 1822, or three years afterwards, that Mr. Chaplin forwarded (with a letter, No. 121 of the 28th October 1822) to the Bombay Government—" A register of all personal Jagheers which have been restored by Government, and are now held in the Deccan,"—and, in doing so, informed the Chief Secretary,—" A very considerable reduction has actually taken place both in granting the Jagheers, and from lapses."

19. In Mr. Chaplin's register Vittulrao Mulhar Poorundhuree's Surinjam was entered as shown below in the Class of " Mootsudees" :—

Number.	As per Lists sent to Calcutta.	Amount.						Restored to the undermentioned individuals, who are the actual Incumbents, and are either the same as those named in the Original Lists or their immediate Relations, as explained below.	Amount.						Remarks.
		Kumal.		Akar, estimated Value.		Nemnook, or Pecuniary Allowance.			Kumal.		Akar, present Produce.		Nemnook, or Pecuniary Allowance.		
		Rs.	a.	Rs.	a.	Rs.			Rs.	a.	Rs.	a.	Rs.		
7	Vittulrao Poorundhuree.	10,832	5¼	1,366	14½	..		Vittulrao Mulhar Poorundhuree.	10,832	5¼	7,521	13¾	..		

20. At the same time a Murathee statement was prepared in the Commissioner's Office, exhibiting the detail of each Surinjam, and showing in Vittulrao Mulhar's case that the items not restored by Mr. Chaplin were those which Mr. Elphinstone had excluded from his lists, and that *all the holdings* in the Nizam's territory, having been *from the first excluded* (see paragraphs 14, and 148 to 150 of this letter), so remained.

21. Among the items for the release of which Mr. Elphinstone's order of the 15th October 1819 was issued, which were subsequently entered in his lists as " to be continued," and the propriety of continuing which was, at a later date, admitted by Mr. Chaplin, in whose " Register" they were included, was Pétah Boorhanuggur, in the Ahmednuggur Collectorate. I notice this fact thus particularly because I shall have occasion again to recur to it in explaining what the Honorable Mr. Warden has stated on the subject. (See paragraphs 130 to 135 of this letter.)

22. To return to the Nimar holdings, valued at Rs. 3,013, and included

in Mr. Elphinstone's order of release of the 15th October 1819.—In their case, not only had inquiry (see paragraph 12 of this letter) at a future date remained to be made, but it had still to be ascertained whether they had been "actually enjoyed up to the war." This the several Collectors had, as Mr. Elphinstone in his letter dated the 25th October 1819 (see paragraph 8 of this letter) informed the Governor General when transmitting the lists of Jagheers, been requested to ascertain within their respective ranges; but the Nimar holdings were distant and out of reach, and it was not until Mr. Elphinstone had become Governor of Bombay that Mr. Chaplin, his successor as Commissioner in the Deccan, for the first time was made aware (see paragraphs 23 to 31 of this letter) of their previous condition by the British authority in the province.

23. The two villages of Chugaum and Nugaum, which formed the principal part of the Nimar holdings, and which were valued (see paragraph 10 of this letter) at *two thousand seven hundred and eighty-eight rupees*, had been taken possession of, and a report (a portion of the 2nd paragraph of which is below quoted) made by Sir John Malcolm to the Government of India on the 20th August 1819, two months before Mr. Elphinstone's order of release was issued,—viz. on the 15th October 1819 (see paragraph 11 of this letter):—

"The villages of Nugaum and Chugaum have been annexed to the two latter districts, as it been satisfactorily established that the term on which the Poorundhuree family held these villages from the Peshwa was not Inamee but Surinjamee, or for performance of military services."

24. On the 10th December 1819 the Commissioner, Mr. Chaplin, addressed Sir J. Malcolm in the following terms, in a letter which was apparently the first communication on the subject made by the authorities in the Deccan:—

"I have the honour to enclose a Murathee list of two villages and the Mokassa of five others, in Nimar, which were held in personal Jagheer by Vittulrao Mulhar Poorundhuree from the Peshwas' Government, and which it is desirable should still be continued to him. I beg you will have the goodness to take such steps as may be requisite for effecting this arrangement, should you concur in the propriety of it."

25. The officer in immediate charge of the district was Colonel Smith, and he appears to have made a previous report to Sir J. Malcolm on the subject of these holdings, and to have informed him,—

"You will observe in the statement of the Kanapoor revenue that I have annexed the village of Nugaum to that district. I have done so as it properly belonged to the former, from the limits of the one being carried to the boundary of the other. This village has been long considered a grant from the Poona Government to the Poorundhuree family, but since our taking possession of the place, now thirteen months, no claims whatever have been

advanced on the part of that family. I have lately, however, made further inquiries into the nature of that grant, as also into that of Chugaum, which I have, in like manner, annexed to Burdeah, and find that the Poorundhuree family never held them as Inam, but as a Chakree budul Jagheer,* and, consequently, upon the principle of Mr. Elphinstone's decisions on such cases, they can have no just claim to these villages."

26. The above extract from Colonel Smith's report was forwarded by Sir J. Malcolm to Mr. Chaplin, with the following letter, dated the 15th January 1820:—

"I should sooner have replied to your letter of the 10th of December, but it was by accident mislaid. I now enclose an extract from Lieutenant Colonel Smith's report. This was forwarded by me to the Supreme Government, which has proceeded to direct the appropriation of the villages claimed by the Poorundhuree family in Nimar, in the belief that they were Surinjam and not Inam lands, but of the correctness of this fact you will be able to determine from the records at Poona.

"The right of the Poorundhuree Chief to these lands will, no doubt, be judged by you with reference to the Sunuds by which he held them, and to that indulgence which has been shown others in a similar predicament; but if these villages were held as Surinjamee, and you still deem it desirable to continue them to the family of Poorundhuree, it appears to me desirable to separate the question of favour from that of right. This can be easily done by a new grant of possessions that are ours by conquest. I am the more disposed to recommend this course in the present instance, from the discussions that have taken place as to the claims of the dependents of the Holkar State on Jagheer and Surinjam lands in Khandeish and the Deccan. The Honorable Mr. Elphinstone, in his letter to the Resident of Indore of the 17th July 1819, denies the right of the claimants to such lands (unless in cases of Inam), and allowing a Chief of the Poorundhuree family to take possession, under a Surinjam tenure, of possessions in Nimar, might lead to revive hopes it was meant to discourage; but there can be no reason for not giving him (if his conduct merits it) a renewed grant of these villages. It will, however, be necessary to refer the point to the most Noble the Governor General in Council."

27. Mr. Chaplin replied to Sir J. Malcolm on the 26th of the same month, and explained the *nature* of the grant; he stated,—

"In reply to your letter of the 15th instant, I have the honour to inform you that the villages mentioned in my letter of the 10th ultimo were granted to Vittulrao Mulhar Poorundhuree in personal Jagheer, as therein stated, by

* *i. e.* a service holding.

the Peshwas' Government seventy years ago, before even Holkar's possession of Nimar; and that they were never subjected to the authority of that Chief, but held of the Peshwa up to the war, though they may have been subject to interruption from Holkar's and Sindia's Governments, as well as other lands of the Peshwa in Nimar, from their detached situation; it was, therefore, decided that they should be restored to him by our Government, in common with the personal Jagheers of all persons considered deserving of this indulgence throughout the whole of the late Peshwa's possessions. You will observe that the claims of those who hold their personal Jagheers of the Peshwa are quite distinct from such as held Jagheer grants from foreign princes, as in the case of Holkar, alluded to in Mr. Elphinstone's letter of the 17th July. As the Supreme Government has already sanctioned the Honorable the late Commissioner's proceedings on these points, you will not, perhaps, under this explanation, consider a further reference necessary."

28. With reference to this last communication, Sir J. Malcolm received the following letter, dated the 24th March 1820, from Colonel Smith:—

"My dear General,—I have had many of the Chugaum people with me, and have again inquired into the merits of the Poorundhuree claims upon that village and Nugaum. The local authorities and old inhabitants of the former still persist in maintaining that that village, with several others, were given to that family as a Chakree budul Jagheer, and not as a personal one, and I am not unwilling to give credit to the truth of this testimony, as it is, I believe, an established fact that the Poorundhuree family had no inconsiderable body of horse in the service of the Peshwa at the commencement of the war, and as they acknowledge having always been treated with due consideration by the managers on the part of that family; I can see no motive that these people have for thwarting the claims in question, were they just. They tell me, also, that Vittulrao seldom ever derived any advantage from the revenues of the village, as it was eternally beset by the Pindarees, Ramosees, and other predatory Chieftains, until we took charge of it at their particular requisition, long prior to which it had been abandoned by his managers; but, notwithstanding these inquiries, it would appear from Mr. Chaplin's letter that it was held by him, with the other villages mentioned in the Murathee list, in personal Jagheer, but it is not impossible the Sunud, if he holds one at all, may be defective in some respect or other; and this is a point I should think very necessary to be ascertained prior to its being continued to that family, as the revenue of Chugaum forms a principal item in the aggregate revenues of the Burdeah Purguna, and which you are aware by a late decision of the Supreme Government is to be made over, with our other districts in this quarter, to Holkar's Government, as an equivalent for some place relinquished by Holkar in our favour.

"I consider the Poorundhuree claims upon Nugaum to be preposterous, for, until our assumption of the Peshwa's districts in this quarter, that village had been uninhabited by any human creature for a period of fifteen or twenty years; its lands had run into thick jungle, and it was, in fact, in a state apparently reclaimless; so that for its present state of improvement we are entirely indebted to the industry of an opulent Gosain to whom I gave it for three years Pugnis, and now that it bears marks of returning cultivation, he (Vittulrao) sets up his claim to it, in defiance of all decency. In my last report upon this village I annexed it to the district of Kanapoor in the same way as Chugaum had been annexed to Burdeah. These are my ideas, and all the information I have on the subject of these claims; but I shall be ready to carry into effect any orders you may send me regarding them.

"The five villages in Nimar upon which claims are made for Mokassa are in a state of desolation, and four of them belong to Holkar.

"The Agent for the Poorundhuree family takes this up to you.

"Yours very truly,
(Signed) "H. T. Smith."

29. Colonel Smith's letter was forwarded by Sir J. Malcolm to Mr. Chaplin, with one dated the 27th of the same month, and transcribed below:—

"Dear Chaplin,—I send you copy of a private letter from Colonel Smith, and though I think, from the positive nature of your public despatch, he must be wrong as to the tenure of the Sunud, it may be as well to have it (should you not have done so already) particularly examined.

"With respect to Nugaum, which was and has been a complete jungle for many years, we have made considerable advance, and given it in Pugnis for three years; our faith and cash must both be redeemed before it can be made over: on this I shall not, however, write publicly till I get an answer to this note, and have your sentiments.

"Yours truly,
(Signed) "John Malcolm."

30. Mr. Chaplin's reply, dated the 8th April following, was as follows:—

"Wrote* as follows (private letter) to Sir J. Malcolm.

"Sir,—I have the pleasure to acknowledge the receipt of your letter of the 27th ultimo, giving cover to the copy of a letter from Colonel Smith, respecting the Poorundhuree claims upon the villages of Chugaum and Nugaum.

"2. I still think there is no sufficient reason for questioning the validity

* This letter is recorded in the public letter-book of the Deccan Commissioner. (See paragraph 99 of this letter.)

of the claims of Vittul Mulhar Poorundhuree. He has Sunuds bearing the Peshwa's seal for all the villages mentioned in Colonel Smith's letter in personal Jagheer (Zât Surinjam); they are dated A. D. 1786-87, and are in the joint names of the present man and his uncle, Chimnajee Dhondoo. The latter died about twenty years ago, and the grants were continued to the survivor, but without any fresh Sunud. They remained in his name in the Duftur accounts, and were considered to be in his possession up to the war, though it is true that Nugaum has been deserted for fifteen years.

"3. I enclose copies of Sunuds. Vittul Mulhar never had any Fouj Surinjam, nor had he any troops with the Peshwa. Colonel Smith probably is aware that he is distinct from the other Poorundhurees.

"4. If I am correct in assuming that Vittul Mulhar's rights have been continued up to the war, as I have stated, I apprehend they will not be affected by the circumstances of one or more of the villages having been deserted: it is a common practice for Inamdars to reclaim their lands when they find them to be worth holding, but it is, perhaps, but fair that the claimant should indemnify the person who has, perhaps, gone to a great expense in restoring them from a state of total desolation.

"I have the honour to be, &c.

(Signed) "W. CHAPLIN,
Commissioner."

"*Poona, 8th April* 1820."

31. My records do not contain any reply from Sir J. Malcolm, but it is clear from what subsequently transpired (see paragraph 34 of this letter), on an inquiry being instituted by order of the Supreme Government, that Sir John not only restored the villages, but furnished Poorundhuree with a document specifying them to be *Inam*, and this must have been done just after Mr. Chaplin had so clearly stated that they had been granted and held in *Surinjam*. (See paragraphs 24, 27, and 30 of this letter.)

32. It appears that the Supreme Government were not satisfied, however, with what had been done, for on the 14th June 1822 they ordered through Sir David Ochterlony that Mr. G. Wellesley, the Resident at Indore, should investigate "the claims by which the Poorundhur Chief held the villages of Nugaum and Chugaum." Mr. Wellesley, accordingly, issued the following instructions to his Assistant, Lieutenant Douglas:—

"2. Government having likewise directed a further inquiry to be made into the claims of the Poorundhur Chief to Chugaum, Nugaum, and any other places or benefices which he may hold in our Nimar territories, with the view, principally, of clearing up the doubts whether he held them of the Peshwa on a Surinjamee or Inamee tenure, I request you will undertake

a local inquiry into the fact, interrogating for this purpose such of the inhabitants of those places and in the neighbourhood as may be best qualified to speak to the circumstances and merits of the case. While inquiring on this account into the origin and exact nature of his claims, you will also ascertain whether he has continued from the commencement in uninterrupted enjoyment of those benefices on the same invariable footing, or whether they have undergone any modifications or interruptions during the lapse of time."—(Extract paragraph 2 from Mr. Wellesley's letter dated the 22nd July 1822.)

Lieutenant Douglas on the 8th August 1822 reported the result of his inquiry in the following terms :—

"Having terminated a local investigation of the Poorundhuree's tenure of the villages of Chugaum and Nugaum, I do myself the honour to transmit the information obtained by examination of the Wutundar Patels and Putwarees.

"The hereditary authorities of the former village have reached the ages of fifty and fifty-five, and the Putwaree of the latter has at least numbered sixty years; none more able to give information were procurable. No branch of the Poorundhuree family resides in Nimar, and the local agent has been too short a period in their employ to render me any aid beyond the production of three copies of separate Sunuds.

"I have annexed copies of those documents. From Nos. 1 and 2 it would become apparent that the grants have been made for the personal enjoyment, or life-subsistence of the present Chief, Vittul Mulhar, the grandson, and of his father, Chimnajee Dhondoo. Thirty-six years have elapsed since this gift was made by Shreemunt Madhow Rao Narayen upon the demise of the first Poorundhur Chief, Dhondoo Mulhar.

"The necessity for renewal to these two specified descendants upon the decease of the original grantee, and the absence of any paragraph in the new deed of gift conveying the succession to their heirs, fully establishes the just right of the British Government to these two villages upon the lapse of the present proprietor's life.

"Nothing has transpired to impugn the validity of these documents; they are, however, but copies, and their authenticity can alone be decided at Poona.

"The hereditary agents before alluded to have assured me that from their earliest recollection these two villages have been in the possession of the Poorundhur family, to whose local collector they have duly paid the revenues. They profess ignorance of the nature of the Poorundhuree's title, and are unable to state whether any Tunkha or Peshkushee was (yearly) exacted by the Peshwa.

"The possession in the Poorundhuree family has been twice interrupted and suspended, at each period for about one year. The first resumption was by His Highness Dowlut Rao Sindia twelve years since, and the last six years ago by Trimbukjee Denglia. On both occasions the revenue was lost to the Poorundhuree Chief. They are equally unable to explain the reasons of the villages having been resumed or released, or on what plea, other than force, Dowlut Rao Sindia could interfere with the village of Chugaum, as situated in the district of Murdana, part of the possession bestowed upon the Holkar family.

"The separate document (No. 3) executed at the same time with Nos. 1 and 2, by Madhow Rao Narayen, the posthumous son of the victim of Raghoba's ambition, bestows on Vittul Mulhar and his father (so is the deed worded) the collection and enjoyment of the item of Mokassa (one-fourth of the grand revenue) of the village of Sangvee, now a possession of the British Government, situated in the Kanapoor district. That item has not hitherto been sanctioned, as the village is but partially reclaimed to tillage, and the rent-free period had not expired.

"The Poorundhuree Chief claims no other privileges or possessions."

33. Mr. Wellesley also obtained from Mr. Chaplin, the Deccan Commissioner, and from the Political Agent at Sehore, all the information they could supply on the subject, and on the 21st October 1822 reported to the Supreme Government as follows:—

"The Poorundhur's claim on Chugaum and Nugaum appears to be from the accompanying documents clearly a tenure for his personal life and no longer, and Sir John Malclom's letter of restitution I find restores it on the same tenure as it was held by him of the Peshwa; but as, perhaps, he may be reckoned to have a constructive claim to consideration from long possession of the villages of his family, I would in such case suggest it as an eligible compromise of the matter that the Sunud of Government to be given in confirmation of the current tenure should contain a prospective provision for continuing the villages to his heirs in lineal descent as perpetual tenants in rent, or proprietors subject to payment of the assessed revenues of Government."

34. Sir David Ochterlony concurred in the above, and submitted Mr. Wellesley's propositions for the consideration of the Government of India, who on the 28th December 1822 replied as follows:—

"The Governor General in Council concurs entirely with the Resident at Indore in viewing the grant of Chugaum and Nugaum to the Poorundhur Chief to be simply a life-tenure, of the nature of Zât Surinjam. Both the testimony of Mr. Chaplin, and, still more, the translations of Sunuds

and extracts from the Poona archives, which accompanied his despatch of the 15th August last, are conclusive on this head, and Government is unable to understand on what principle Sir J. Malcolm should have bestowed these 'villages' in *free gift* or *Inam*. The qualifying passage in the Sunud, indeed, which follows the latter words—'The villages of Chugaum and Nugaum are bestowed on him in free gift, and the village of Sangvee, Purguna Kanapoor, is given up as Mokassa, the whole being thus restored *on the terms formerly granted*'—shows that whilst intending to restore them only on the former tenure, an essential misapprehension existed as to the nature of that tenure. With this error apparent on the face of the transaction, and as it is very doubtful whether Vittulrao Mulhar was entitled to resume possession of the villages on *any* footing after many years' total abandonment of them, Government conceives that it will amply have fulfilled any obligations which the proceedings of the late Agent may have imposed by acknowledging the tenure in question to be a life Jagheer. On the same principle, the share of the revenue of the village Sangvee, called Mokassa, must be allowed, whenever that village may have been brought into a productive state.

"12. Under these circumstances, it will be necessary that the Resident at Indore should demand back the former grant by Sir J. Malcolm for the purpose of cancelling the same, and that the draft of a fresh one should be prepared as above, and submitted, both in English and Persian, for approval and signature by the Governor General in Council."

35. On the 30th April 1823, Mr. Wellesley sent the following letter to Vittulrao Mulhar Poorundhuree, through Mr. Chaplin, the Commissioner at Poona, and in doing so he observed,—

"The resolution of Government in the case being conclusive, I beg you will repress any attempts of the Poorundhuree to renew negotiations upon it."

"*Substance of a Letter to* VITTULRAO MULHAR POORUNDHUREE.

"By direction of Government, I have to inform you that the Governor General in Council having resolved, after a full consideration of the case, on granting you a Sunud under seal and signature, confirming to you the possession of the villages of Chugaum and Nugaum, and the Mokassa of Sangvee, during the term of your life, the tenure under which these possessions have been hitherto held by you, the said Sunud will be accordingly prepared and transmitted to you, when your acknowledgment will be required in return, and you will now be pleased to return the letter of restitution received by you from Sir J. Malcolm and Colonel Smith, the same being

only a provisional deed on their part, subject to the confirmation of the Governor General in Council, whose Sunud, under his seal and signature, you are now about to receive instead."

36. To the foregoing Vittulrao Mulhar Poorundhuree gave the following answer:—

"I have had the honour and satisfaction of receiving the friendly letter which you wrote on the 5th of Wuishak Wud, Sumvut 1880, notifying, by direction of His Excellency the Governor General, that the village of Chugaum Mukana and Nugaum, with the Mokassa of the village of Sangvee, would be continued to me on the same condition as heretofore, viz. as Zât Surinjam, or allowance for my personal expenses during the period of my life, desiring that I would transmit to you the deeds in my possession granted by General Sir J. Malcolm and Colonel Smith for the above villages, and that Sunuds, under the seal and signature of the Governor General, would be given to me in exchange. This was the purport of the letter; and, in compliance with the orders of Government, I have delivered the deeds granted by General Malcolm and Colonel Smith to Mr. Chaplin, the Commissioner of Poona, and they will accordingly reach your presence through that channel."

37. The letter of Vittulrao Mulhar Poorundhuree quoted in the last paragraph was forwarded to the Resident by Mr. Chaplin, with the following letter dated the 17th June 1823:—

"1. I have the honour to enclose the reply of Vittulrao Mulhar Poorundhuree to the letter which accompanied your communication to me of the 30th April last, with the original Sunud which he was therein directed to return.

"2. Some delay has taken place in the transmission of these documents, in consequence of their having been deposited in his village, which is a considerable distance from this place, and they only arrived a few days ago."

38. The following is a draft of the Sunud which Mr. Wellesley proposed in lieu of the cancelled document granted by Sir J. Malcolm:—

"*Draft of a Sunud to* VITTULRAO MULHAR POORUNDHUREE.

"Whereas the Governor General in Council, after full consideration of the case, has resolved on confirming to Vittulrao Mulhar Poorundhuree the possession of the village of Chugaum, Purguna Kundwah, and Nugaum, Purguna Murdana, and of the Mokassa of Sangvee, Purguna Kanapoor,—all the places situated in the Zilla of Nimar,—for the term of his life, as hitherto held by him; *after which they will revert to and be resumed by Go-*

*vernment:** This Sunud, under the seal and signature of the Governor General in Council, is accordingly issued to him in testimony of the same, and his acknowledgment will be taken in return."

39. On the 7th November 1823 Mr. Wellesley was informed that this draft of Sunud had been adopted by Government, and that it would be returned to him from the Persian Office duly signed and sealed.

40. With a letter dated the 12th December 1823, and which is below transcribed, the Resident forwarded to Mr. Chaplin the Sunud referred to in the last paragraph:—

"With reference to our former correspondence respecting Mulhar Rao Poorundhuree, I now beg leave to enclose an original Sunud, under the seal and signature of the Governor General in Council, confirming to him possession, during his life, of the villages of Chugaum and Nugaum, and the Mokassa of Sangvee, in Nimar, and to request the favour of your transmitting it to him, and to me, in return, his formal acknowledgment of the same.

"2. As this incumbent resides within your jurisdiction, it is desirable that, on the occurrence of his decease, early notice thereof should be communicated from your office to this, with a view to the resumption of the Jagheer."

41. On the 24th December 1823 Mr. Chaplin forwarded the above Sunud to the Collector of Poona, and, in requesting that officer to deliver it to Vittulrao Mulhar Poorundhuree, added,—

"As this incumbent resides within your jurisdiction, it is desirable that, on the occurrence of his decease, early notice thereof should be communicated to me, with a view to the resumption of the Jagheer in question."

42. Mr. Chaplin on the 8th January 1824 transmitted to the Resident at Indore Vittulrao Mulhar Poorundhuree's acknowledgment of the Sunud, with the following letter:—

"With reference to your letter of the 12th ultimo, I have the honour to forward the enclosed acknowledgment from Vittulrao Mulhar Poorundhuree of the Sunud granted to him by the Supreme Government, and to inform you that, on the occurrence of his decease, early notice will be communicated to you, as requested in the 2nd paragraph of your letter."

43. This closes the history of these Nimar holdings up to the final decision of the Supreme Government as to the tenure on which they were to be held. I have recorded in paragraphs 22 to 42 of this letter at length the whole of the correspondence which passed on the subject, and which appears to me to prove,—

* *Italicised* by Captain Cowper. (See clause 5 of paragraph 43 of this letter.)

1*st.*—That the Governor General, in his order (see paragraphs 16 and 17 of this letter) of the 4th March 1820, although he declined to pledge the Government to the hereditary continuance of anything, yet distinctly declared that such continuance was to be left an open question, in regard especially to the Surinjams marked hereditary by Mr. Elphinstone.

2*nd.*—That these Nimar holdings formed portion of a Surinjam which Mr. Elphinstone had marked hereditary. (See paragraph 13 of this letter.)

3*rd.*—That the Supreme Government deemed it necessary to order a special inquiry (see paragraph 32 of this letter) regarding these Nimar holdings, the result of which was a formal declaration that they were to be resumed after the death of Vittulrao Mulhar Poorundhuree, to whom the Government considered it very doubtful whether they should have been restored at all. (See paragraph 34 of this letter.)

4*th.*—That this restoration for life was distinctly declared (see paragraph 34 of this letter) by the Supreme Government to be sanctioned, partly, in consideration of an erroneous declaration previously made by Sir J. Malcolm that the holding was an Inam one.

5*th.*—That a *Sunud* was issued under the seal of the highest authority in India, specially declaring that these Nimar holdings *would be resumed* on Vittulrao Mulhar Poorundhuree's death. (See paragraphs 38 & 39 of this letter.)

6*th.*—That such a declaration, made in such a manner, cannot by any construction be held to have left, or to have intended to leave these Nimar holdings on the footing on which the other Surinjams (among which was the *Deccan* portion of the Surinjam of Vittulrao Mulhar Poorundhuree) which had been marked hereditary by Elphinstone stood,—*i. e.* that at the death of the holder the question of continuance would be taken into consideration and determined. (See paragraphs 16 and 17 of this letter.)

7*th.*—That when the Supreme Government decided that these Nimar holdings should be resumed at the death of Vittulrao Mulhar Poorundhuree, they had before them the whole of the evidence now forthcoming. (See paragraphs 25 and 33 of this letter).

44. I would here observe that Vittulrao Mulhar Poorundhuree was not placed in possession of the *whole* of the Nimar holdings ordered to be released by Mr. Elphinstone, entered in his lists of Jagheers as "to be continued," and erroneously shown in Mr. Chaplin's "Register" as having been restored. The Governor General's Sunud restored the two villages of Chugaum and Nugaum, and a share of the revenue (the Mokassa Umul) of the village of Sangvee; but the other four items,—*i. e.* the shares of the revenue of the four villages of Buhadurpoor, Ichapoor, Oomertee, and Boree,—*were never restored at all.* This is a fact to which it will be necessary hereinafter more particularly to advert. (See paragraphs 63 and 159 of this letter.)

45. By the Treaty of the 12th December 1822, the district of Umber, and with it a portion of Vittulrao Mulhar's Surinjam, valued at Rs. 1,100, and consisting of a share of the revenue of the two villages of Antervelly Tembé, and Muchindra Chincholee, was transferred to the Nizam, and Poorundhuree's rights were subsequently, with those of several other persons, for a time withheld. Through the intervention, however, of the British Government, matters were arranged, and the son, Chimnajee Vittul, is now in guaranteed possession. (See paragraph 149 of this letter.)

46. Vittulrao Mulhar remained in possession of the Surinjam, which had been restored to him, until his death on the 12th January 1840, when the portion in Nimar was resumed, according to the provisions (see paragraph 38 of this letter) of the Sunud under which he had been permitted to hold it. The portions of the Surinjam in the Poona and Ahmednuggur Collectorates were continued to his son, Chimnajee Vittul, for his lifetime, under the orders of Government, contained in the Political Secretary's letters numbered 406 and 640, and dated respectively the 28th February and the 1st April 1840.

47. The report (No. 202 of the 26th February 1840) made by the Collector of Ahmednuggur on Vittulrao Mulhar's death was accompanied by a list of the items composing the Surinjam which the deceased had held, and in this list Pétah Boorhanuggur was *included*, at a valuation of Rs. 567-9-9.

48. Chimnajee Vittul Poorundhuree on the 11th July 1840 addressed the Bombay Government, begging that the Nimar villages might be restored to him. His letter was forwarded for the report of the Acting Agent for Sirdars, Mr. Mills, who, on the 30th October 1840, informed Government as follows :—

> "The Acting Agent begs leave to forward an original letter, dated the 23rd instant, and enclosure, from the Resident at Indore, from which it will appear that petitioner has no claim whatever to the villages he alludes to, the Governor General in Council having decided that they were merely life-grants to petitioner's father. Under these circumstances, the petitioner may be informed that his title to the villages he claims is inadmissible."

49. The request of Chimnajee Vittul Poorundhuree was then, in the Political Secretary's letter No. 2490 of the 14th November 1840, negatived in the following terms :—

> "I am desired to signify to you that, on inquiry, it appears that the villages in question, having been merely life-grants, lapsed to Government on the demise of your father, and that the Governor in Council cannot, therefore, comply with your petition."

50. A copy of the Political Secretary's reply to Chimnajee Vittul (No. 2491 of the 14th November 1840) was on the same date forwarded to the Acting Agent for Sirdars, with a request that he would "be pleased to report,

for the information of Government, the tenure under which the villages situated in the Poona and Ahmednuggur territory were held by the petitioner's father."

51. The Agent, in a letter, No. 101 dated the 14th April 1841, afforded the information called for in regard to the Deccan villages, and added a recommendation that those in Nimar should be likewise continued, assigning, as the grounds on which he had arrived at an opinion opposite to the one expressed in his previous report to Government of the 30th October 1840, the fact of the revenues of the Nimar villages having been included in Mr. McDonnell's statement of Surinjams, and also in those of Mr. Marriott submitted to Government on the 1st August 1834. Mr. Mills thought that the application of the Rules framed by Mr. Marriott, and promulgated for observance by the Bombay Government pending decision by the Court of Directors, annulled the previous decision of the Governor General in Council.

52. Mr. Mills seems, however, to have completely overlooked the grounds on which the decision of the Supreme Government (see paragraph 34 of this letter) had been based, and the important fact that the Nimar villages had not been held by Vittulrao Mulhar Poorundhuree at the breaking out of the war, and that on this account it had seemed to the Supreme Government "very doubtful whether Vittulrao Mulhar was entitled to resume possession of the villages on *any* footing after many years' total abandonment of them." They were included, it is true, in Mr. McDonnell's statement, but *subject to inquiry*, which was afterwards made by Mr. Chaplin, and which proved that they did *not*, like the Deccan villages, fulfil the terms *on which alone* Mr. Elphinstone had contemplated the restoration of any holding, whether Surinjam or Inam.

53. On the 29th July 1841 the Bombay Government, through their Political Secretary, forwarded to the Government of India copies of the undermentioned correspondence, "for such notice as the Right Honorable the Governor General in Council may deem it to deserve" :—

The petition from Chimnajee Vittul Poorundhuree dated 11th July 1840, referred to in paragraph 48 of this letter.

The report by the Acting Agent for Sirdars dated the 30th October 1840, referred to in paragraph 48 of this letter.

The reply of Government to Chimnajee Vittul Poorundhuree dated the 14th November 1840, referred to in paragraph 49 of this letter.

The letter from Government to the Acting Agent for Sirdars dated the 14th November 1840, referred to in paragraph 50 of this letter.

The Agent's reply dated the 14th April 1841, referred to in paragraph 51 of this letter.

54. The reply of the Supreme Government, conveyed in their Political

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Secretary's letter No. 2334 of the 23rd August 1841, was accompanied by a memorandum of previous proceedings in regard to the Nimar villages, the substance of which is given in paragraphs 32 to 36, and 38 and 39 of this letter, and the tenure on which they had been held was explained as having been by the resolution of the Governor General in Council "limited to the life of Vittulrao."

55. The foregoing decision of the Government of India was communicated in the following terms to the Agent for Sirdars, in the Political Secretary's letter No. 2775 of the 7th October 1841 :—

"With reference to your letter [the letter recommending the restoration of the Nimar villages, referred to in paragraph 51] dated the 14th April last, No. 101, I am directed by the Honorable the Governor in Council to transmit for your information copy of a communication from Mr. Secretary Maddock, dated the 23rd August last, No. 2334, from which you will perceive the grounds on which the villages of Nugaum and Chugaum were resumed by the Government of India on the death of the late Vittulrao Mulhar Poorundhuree."

56. The Deccan holdings had been entered in lists of Surinjams submitted to Government by the Agent, Mr. Mills, on the 23rd October 1840, as No. 28 of Class I., the date of original grant being shown as A. D. 1741, and the column of "Remarks" containing the following entry :—

"Vittulrao Mulhar Poorundhuree died in January 1840, and the estate has been continued to his son, according to the late Agent's Rules."

57. The principles upon which Mr. Mills had framed his lists were pronounced by the Honorable Court of Directors to be erroneous, and at variance with their intentions; they consequently, in a despatch No. 17 of the 26th October 1842, enunciated definite Rules, according to which they desired that new lists should be framed, and in the 20th paragraph of this despatch they thus adverted to the *Deccan* Surinjam, which had been resumed at the death of Vittulrao Mulhar Poorundhuree :—

"The sixth and last case is that of Vittulrao Mulhar Poorundhuree, whose Surinjam of Rs. 7,491-3-37 you have determined to continue for one more generation. The original grant of this estate being of the early date of 1741, it must, under the principles laid down in the present despatch, be hereditary, and we direct that it be so considered."

58. The principles laid down by the Honorable Court were,—

I. (Paragraph 9 of Honorable Court's despatch.)—"That all Jagheers in Class I. of Mr. Mills' list, which bear dates anterior to 1751, be, as Mr. Elphinstone recommends, 'hereditary in the fullest sense of the word,'

together with those of which the dates are unknown, but which are known to be ancient."

II. (Paragraph 10 of Honorable Court's despatch.)—" In addition to these ancient Jagheers, all those of more recent date which were granted in commutation for the resumption of more ancient possessions (which is known to have been the case with some) are entitled in like manner to an hereditary tenure."

III. (Paragraph 12 of Honorable Court's despatch.)—"That with regard to Surinjam grants bearing date subsequent to 1751, resumption after a second generation from the conquest, making a pensionary provision equal to half the net proceeds of the Surinjam lands for the generation next succeeding, should be the general rule."

IV. (Paragraph 12 of Honorable Court's despatch).—"That cases in which Mr. Elphinstone may have recommended a more extended provision" should be separately and specially considered, as also any other cases deemed to require such consideration.

59. These instructions were communicated to the Agent for Sirdars, Mr. Warden, who was ordered to frame new lists in the Chief Secretary's letter No. 994 of the 9th May 1843, the 10th paragraph of which specially adverted to this Surinjam in the following terms :—

" In regard to the 20th paragraph of the Honorable Court's despatch, I am directed to request that you will ascertain and report to Government whether the family of the late Vittulrao Mulhar Poorundhuree possess any documentary proofs of the estate held by the deceased having, as asserted by them, been granted to his family in the year 1741."

60. New lists were accordingly framed, and submitted to Government with Mr. Warden's letter No. 225 of the 29th December 1844. They were divided into several classes, the fifth being one of Surinjams improperly resumed, and, therefore, to be restored with arrears. In this class the Nimar holdings were entered as No. 2, as shown in the following extract :—

Number.	Name of Original Grantee.	Name of Present Claimant.	Soobhas in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Claimant.	Annual Private Income of the Claimant.	The Names and Ages of the Claimant's Legitimate Male Issue.	The Tenure.	Remarks.
					Rs.	A. D.		Rs.			
2	Mulhar Tookdeo.	Chimnajee Vittul Poorundhuree.	Nimar, in Hindoostan.	Chugaum Mukana	1,500	1741.	17 years	420	None.	Hereditary in the fullest sense of the word.	By an oversight, this portion of the Surinjam was retained by Government when the remainder was restored to the present incumbent in A. D. 1840. (See No. 29 of Class I.)
				Nugaum	1,288						
			Sircar Bejagur, in Hindoostan.	Buhadurpoor.. Ichapoor .... Koortee .... Boree ...... Sangvee	225						
				Total..	3,013						

61. In the 19th paragraph of his transmittory letter, No. 225 of the 29th December 1844, Mr. Warden offered the following explanation in regard to this Surinjam, including a portion claimed in Hindoostan :—

"In reply to your last paragraph, I have the honour to report that the family of Vittulrao Mulhar Poorundhuree has produced twenty-one Sunuds or title-deeds, of which fourteen relate to his Surinjam in Poona and Ahmednuggur, and seven to his estate in Hindoostan, which last, I am informed, has been resumed, although granted by two Sunuds, dated one in A. D. 1739 and the other in A. D. 1744, and which should, therefore, be restored, with arrears. The Poona and Ahmednuggur possessions are secured by Sunuds bearing dates from A. D. 1719 to A. D. 1768: of these seven are dated subsequently to A. D. 1751, but as all these refer to older grants, and Mr. Elphinstone declares the estate to have existed seventy-eight years in 1819, which gives the year 1741 as that of the original grant, as set down by me in the lists of 1834, I think no mistake can have been made on this point."

62. Mr. Warden's lists were revised by his successor, Mr. Brown, who re-transmitted them to Government on the 26th October 1847. The whole of Poorundhuree's Surinjam was entered as No. 19 of Class I., as shown in the following extract. In the List No. 5 the Nimar portion alone was shown, but the entry was a mere repetition of a portion of that below extracted.

STATEMENT

EXHIBITING THE

SURINJAM OF THE POORUNDHUREE FAMILY.

Number.	Name of Original Grantee.	Name of Present Incumbent.	No. in the List prepared in A. D. 1834.	Soobhas in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.			Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.
1	2	3	4	5	6	7			8	9
						Rs.	a.	p.	A. D.	
19	Mulhar Tookdeo Poorundhuree.	Chimnajee Vittul Poorundhuree.	No. 25 of Class I.	Poona.	Taklee	216	0	0	1741.	17 years.
					Moondway	78	8	0		
					Wursolee	77	14	0		
					Moortee	441	12	0		
					Hurnee	324	8	0		
					Land in the village of Ghorpuray	30	0	0		
					Land in the village of Kurunjeh	17	0	0		
					Total..	1,185	10	0		
				Ahmednuggur.	Pimpulnair	886	5	0		
					Wudewlé Khoord	1,277	10	9		
					Chahoorana Boodrook	266	13	0		
					Wasur	157	12	9		
					Pargaum	104	12	0		
					Tazoo	29	4	0		
					Total..	2,722	9	6		
				Sattara	Bhooinj	75	0	0		
				Nimar, in Hindoostan.	Chugaum Mukana	1,500	0	0		
					Nugaum	1,288	0	0		
					Buhadurpoor, Ichapoor, Koortee, Boree, Sangvee	225	0	0		
					Total..	3,013	0	0		
					Grand Total..	6,996	3	6		

Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
10	11	12	13	14
Rs.				
420	None.	Hereditary in the fullest sense of the word.	In the Class of Mootsudees, No. 7.—Vittulrao Poorundhuree. He is of the great family of Poorundhuree. He is poor, and in debt. He left the Peshwa early in the war, and returned to his village of Moortemoondwah, but concealed himself to avoid waiting on me when I passed it in April. To retain the whole of his Jagheer, according to Rule No. 3. Land; hereditary.	This Surinjamdar possesses many Sunuds, and by them it appears that the tenure of the Surinjam is antecedent to Esunay Arbain (A. D. 1741). Translations of them are contained in Appendix A to the list. This Surinjamdar possesses a Surinjam in Hindoostan to the amount of Rs. 3,013. The Bengal authorities should be addressed, in order that this Surinjam should be restored. By an oversight, this portion of the Surinjam was retained by Government when the remainder was restored to the present incumbent in A. D. 1840. Sunuds and Chor Chittees are in the possession of this person. (See No. 2 of Statement No. 1 of List No. V.)

63. In both Mr. Warden's and Mr. Brown's lists the Mokassa Umuls of *five* villages in Hindoostan were entered as to be restored to the son, Chimnajee Vittul, although four out of the five had never been held by the father, Vittulrao Mulhar, as they had never been restored at all to him (see paragraph 44 of this letter), and, consequently, could not have been, as stated in the lists, resumed.

64. The remarks made by Mr. Brown referred in the following terms to translations of Sunuds produced by Chimnajee Vittul:—

> "This Surinjamdar possesses many Sunuds, and by them it appears that the tenure of the Surinjam is antecedent to Esunay Arbain (A. D. 1741); translations of them are contained in Appendix A to this list."

But Appendix A contained translations of the Sunuds for the Nimar holding *only*, not of the Sunuds for the Deccan portion; and this is remarkable, because the Honorable Court had only referred to the Deccan Surinjam, and because it has now been discovered that *its* date of grant was incorrectly represented. (See Captain Cowper's report No. 510 dated the 10th November 1853, to be found at the end of this Appendix.)

65. The revised Surinjam lists were sanctioned generally by the Honorable Court of Directors in their despatch No. 15 of the 22nd May 1849, paragraphs 2 to 12, and it was with reference to this sanction that on the 18th December 1849 the Acting Agent, Mr. Hunter, solicited the orders of Government as to whether or not he should convey the instructions of the Honorable Court, in respect to the Nimar villages, to the authorities in the Bengal Presidency.

66. Consequent on this application, Government called (Political Secretary's letter No. 88 of the 8th January 1850) upon the Acting Agent to furnish authenticated extracts from the Surinjam lists relating to the Nimar villages, which were, together with an extract, paragraphs 2 to 12 of the Honorable Court's despatch of the 22nd May 1849, No. 15, forwarded (Political Secretary's letter No. 36 of the 15th March 1850) to the Government of India, with a request that instructions might be issued for restoring the villages, on hereditary tenure, to Chimnajee Vittul Poorundhuree.

67. The Secretary to the Government of India in the Foreign Department replied on the 9th April 1850, No. 973, and intimated that the requisite orders had been issued for the restoration of the villages, and Chimnajee Vittul was accordingly placed in possession of the villages of Chugaum and Nugaum, and the Mokassa Umul of the village of Sangvee, arrears amounting to nearly Rs. 14,000 being at the same time paid to him.

68. So stood the case when, on the 28th February last, I reported the discovery of the erroneous entry which had been made in the lists of 1844 and 1847. The 1st, 2nd, 5th, and 28th paragraphs of my report are below

extracted; the remaining portion referred to matters and correspondence already recorded at length in this letter, so that it need not be repeated here :—

"I have the honour, under the orders conveyed in the Chief Secretary's letter No. 4175 of the 24th September 1852, to submit, for your consideration, the circumstances under which the two villages, and the Mokassa Umul of the five others specified in the margin, were included in the revised Surinjam lists as part of the hereditary Surinjam of Chimnajee Vittul Poorundhuree, and were subsequently restored to him on that tenure, under the orders from the Honorable Court of Directors passed on the above lists (despatch No. 15 of the 22nd May 1849, paragraphs 2 to 12).

"1. Moujé Chugaum.
2. Ditto Nugaum.
The Mokassa Umul of—
1. Moujé Buhadurpoor.
2. Ditto Ichapoor.
3. Ditto Oomertee.
4. Ditto Boree.
5. Ditto Saugvee.

"2. The Honorable Court seem to have passed this decision on the erroneous information afforded to them in the revised lists*—'by an oversight, this portion of the Surinjam was retained by Government when the remainder was restored to the present Surinjamdar in A. D. 1840,—Sunuds and Chor Chittees are in the possession of this person';—whereas, so far from the above portion of the Surinjam having been retained by Government through any oversight, its restoration had been fully discussed, *on the Agent's representation, in* 1841, and had been decisively negatived by the Government of India, which decision had been communicated to the Agent for Sirdars on the 7th October 1841, in the Political Secretary's letter No. 2775."

"5. It thus appears that Vittulrao Mulhar Poorundhuree was not in possession of these villages at the breaking out of the war, and that under these circumstances Mr. Elphinstone's arrangements did not contemplate their restoration, as he most distinctly instructed all subordinate officers to this effect. Indeed, one village in the Nuggur Collectorate (the village of Bowhanuggur, Chimnajee Vittul Poorundhuree's claim to a portion of which was finally rejected in the Chief Secretary's letter No. 3482 of the 1st August 1851), which was exactly in the position of the Nimar ones, having been deserted and waste for many years prior to the conquest, was not restored to Vittulrao Mulhar Poorundhuree, and is at present Khalsat."

"28. I have thought it advisable to report on these villages separately, leaving the title under which the Surinjam in the Deccan is held by Chimnajee Vittul Poorundhuree for inquiry, if requisite, hereafter; the question for decision in this case appearing to me simply to be whether the Honorable Court of Directors sanctioned the restoration of the Nimar villages on hereditary tenure, under the impression that they had been previously held on the same tenure as the Deccan portion of the Surinjam, and had been through

* In Mr. Warden's lists of 1814, No. 29 of Class I., and No. 2 of Class V.; in Mr. Brown's revised lists of 1817, No. 19 of Class I., and No. 2 of statement No. I. of list No. 5.

oversight retained by Government when the Deccan portion was restored in 1840; or whether the Honorable Court were aware that the Nimar villages had not been held by Vittul Mulhar Poorundhuree at the breaking out of the war; that they had been, under peculiar circumstances, and as an act of grace, restored to him, under the Governor General's Sunud, as a *life-grant*; and that they had been *in* 1841, *after* Vittul Mulhar's death, formally declared by the Supreme Government, on a reconsideration of the case, to have lapsed to the State."

69. The Inam Commissioner, Mr. Hart, submitted my report to Government with the following letter, No. 1883 dated the 5th April 1853:—

"I have the honour to submit a report No. 102, dated 28th February 1853, from my Assistant, Captain Cowper, showing that it was on imperfect information that the Honorable the Court of Directors were induced to sanction the relinquishment to Chimnajee Vittul Poorundhuree, and the continuance to him, on hereditary tenure, of certain villages and Umuls in Nimar, which, under the deliberate and final orders of the Government of India, declared after reference to the Commissioner in the Deccan, ought to have finally lapsed to Government at the death of Chimnajee's father, the late Vittulrao Mulhar.

"2. It does not appear necessary to add anything to what Captain Cowper has stated in his clear report on this case. But with regard to the important fact that the villages in Nimar had not been held by Vittulrao Poorundhuree at the breaking out of the war, as shown in Captain Cowper's 19th paragraph, it may be as well to recall the attention of Government to the Honorable Mr. Elphinstone's letter of the 25th October 1819, which contains the following description of a rule observed by him, and sanctioned by the Supreme Government:—

"'No Surinjam ceded to the British Government by the Treaty of 1817, and no Jagheer not actually enjoyed up to the war, to be restored, unless specially directed so to be.'

"This rule would appear to be doubly fatal to any claim by Poorundhuree to any part of his former Surinjam in Nimar, as, besides not having been enjoyed at the breaking out of the war, it would appear to have been included among the cessions made by the Treaty of Poona, the position of which is thus explained by Mr. Elphinstone in the 5th paragraph of his despatch No. 78 dated 18th June 1818, to the Governor General:—

"'The Peshwa's whole revenue, before the last Treaty, amounted to Rs. 2,15,00,000, of which Rs. 95,00,000 was paid into the treasury, and Rs. 1,20,00,000 allotted to Jagheerdars; of this last sum Rs. 26,50,000 was produced by land in Hindoostan, which had greatly de-

clined in value, and from which the Peshwa derived no benefit whatever. This last Rs. 26,50,000, with Rs. 32,00,000 of the amount payable into the treasury, was ceded by the Treaty of Poona, concluded in June last.'

"3. Enough, however, has, I think, been stated by Captain Cowper, to enable Government to come to a decision on the question submitted in the last paragraph of his report, and to judge how any reply which can be given to it ought to affect, in this particular case, the general sanction given by the Honorable Court of Directors to the settlement proposed by the revised Surinjam lists of 1847."

70. The Bombay Government, on this information, recommended the immediate resumption of the villages, and the following letter, No. 2750 of the 23rd June 1853, was addressed by their Political Secretary to the Government of India:—

"To the Secretary to the Government of India, No. 36 dated the 15th March 1850.
From ditto, No. 973 dated 9th April 1850.

"With reference to the correspondence noted in the margin, I am directed to transmit to you, for submission to the Most Noble the Governor General of India in Council, copy of a letter and of its enclosure from Mr. Hart, the late Inam Commissioner, No. 1883 dated the 5th April last, showing that it was on imperfect information that the Honorable the Court of Directors were induced to authorise the continuance, on hereditary tenure, to Chintamun Vittul Poorundhuree, of certain villages and Umuls in Nimar, which, under the orders contained in Mr. Secretary Swinton's letter dated the 28th December 1822, ought to have been resumed.

"2. In forwarding these documents, I am desired to add thereto copy of a Minute thereon by the Right Honorable the Governor, concurred in by the Honorable Mr. Blane, dated the 14th instant, and to request that, with reference to the 16th paragraph of the latter document, you will have the goodness to submit to the Most Noble the Governor General in Council the suggestion of this Government, that immediate steps may be taken to resume the villages and Umuls in question.

"3. The Resident at Indore has been addressed on the subject, in order that any portion of the income which may possibly be in his hands may be withheld, pending further orders from the Government of India."

71. The Government of India, in their Foreign Secretary's letter No. 3233, of the 22nd July 1853, below transcribed, intimated their concurrence, and that orders for the resumption of the Nimar villages had been issued:—

"I have the honour to acknowledge the receipt of your despatch dated the 23rd ultimo, No. 89, forwarding copies of a letter and of its enclosure

from Mr. Hart, the late Inam Commissioner, and of a Minute recorded thereupon by the Right Honorable the Governor, pointing out that it was on imperfect information that the Honorable the Court of Directors were induced to authorise the continuance, on hereditary tenure, to Chintamun Vittul Poorundhuree, of certain villages and Umuls in Nimar, which ought to have been resumed.

"2. In reply, I am directed to acquaint you that as the recommendation of the Government of Bombay, which was generally approved of by the Court of Directors, and which, under that approval, led the Government of India in 1850 to restore the Nimar villages that had been resumed, and properly resumed, after full consideration by the Government of India in 1840-41, was founded upon a mistaken statement of the facts of the case. His Lordship in Council agrees with the Government of Bombay in thinking that the error should be at once corrected by the recall of the order of 1850, and the immediate recovery of the villages in question.

"3. The Resident at Indore has been directed accordingly.

"4. A copy of this correspondence will be duly forwarded for the information of the Honorable the Court of Directors."

72. Consequent on the above, orders were on the 18th August 1853 issued to the Agent for Sirdars to erase the Hindoostan portion of the Surinjam from the Surinjam lists, and the fact of their resumption having been ordered was at the same time notified to that officer.

73. Meanwhile, the late Agent, Mr. Warden, had, in the Political Secretary's letter No. 2752 of the 23rd May 1853, been requested to explain what had occurred, Government remarking that they possessed no means of accounting for the fact of Messrs. Warden and Brown having in their respective Surinjam lists made no allusion whatever to the correspondence recorded in the Agent's Office in 1841, and distinctly showing the resumption of the Nimar Surinjam to have been made after full discussion, and not by any oversight.

74. Having now brought the history of this Surinjam down to the period at which the case was referred to the Honorable Mr. Warden for his explanation, I proceed to notice the various portions of that gentleman's letter which seem to require explanation or remark.

75. The 1st paragraph describes Mr. Hart's report as one in which he has attempted to show "that two villages, and portions of the revenue of others, were continued on imperfect information, to Chimonrao Vittul Poorundhuree." After a careful perusal of the Honorable Mr. Warden's letter, I have failed to discover anything whatever to prove that I was at all wrong in reporting, in the 2nd paragraph of my letter No. 102 of the 28th February last,—

"2. The Honorable Court seem to have passed this decision on the

erroneous information afforded to them in the revised lists—(in Mr. Warden's lists of 1844, No. 292 of Class I. and No. 2 of Class V.; in Mr. Brown's revised lists of 1847, No. 19 of Class I. and No. 2 of statement No. 1 of List No. 5)—'By an oversight, this portion of the Surinjam was retained by Government when the remainder was restored to the present Surinjamdar in A. D. 1840,—Sunuds and Chor Chittees are in the possession of this person';—whereas, so far from the above portion of the Surinjam having been retained by Government through any oversight, its restoration had been fully discussed *on the Agent's representation, in* 1841, and had been decisively negatived by the Government of India, which decision had been communicated to the Agent for Sirdars on the 7th October 1841, in the Political Secretary's letter No. 2775."

It now appears that all this has really occurred just as I supposed to have been the case, so that I am at a loss to conceive how such information can be viewed as anything else but most imperfect.

76. The 2nd and 3rd paragraphs of the Honorable Mr. Warden's letter explain the circumstances under which the erroneous entry—"By an oversight, this portion of the Surinjam was retained by Government when the remainder was restored to the present Surinjamdar in A. D. 1840"—was made in the Surinjam lists prepared by him. It appears that the decision passed and recorded in 1841 was never seen by, nor brought to the notice of the Honorable Mr. Warden, although he observes—

"That I ought to have seen this correspondence there is no doubt, and I could not have avoided seeing it if Mr. Mills had compiled his records as records are now universally preserved, instead of dividing his correspondence into volumes of 'Inward and Outward Letters,' bound up according to their dates, and quite irrespective of the subjects to which the letters severally related."

The Agent for Sirdars has informed me, under date the 8th October last, No. 568, "that the plan adopted by the late Agent, Mr. Mills (that just referred to), is still in force in the Agent's Office."

77. The Honorable Mr. Warden in his 2nd paragraph states,—

"From A. D. 1834 to A. D. 1842 I had no official connection with the Deccan; during this interval the two Native officials, who had aided in the preparation of the Surinjam lists submitted by Mr. Marriott in 1833, had been exchanged for two strangers, so that memory could not aid any of us."

I do not understand the allusion to the lists of 1833, which could not, as far as I can see, throw any light whatever on the *discussion* in 1841, which *alone* was what ought to have been brought to notice; but, apart from this, I

find that, on the 14th October 1841, a Murathee letter, No. 859, conveying the decision of the Supreme Government, had been addressed by the Agent, Mr. Mills, to Chimnajee Vittul Poorundhuree, so that the Murathee office of the Agent, at any rate, must have been acquainted with what had passed.

78. In the next (the 3rd) paragraph the Honorable Mr. Warden expresses the following opinion:—

> "It does not, however, follow, as it appears to me, that any fraud or wilful suppression took place on the part of the Native servants of the Agent's Office on that occasion, for although on the lists there is only the brief note (I quote from Captain Cowper's copy of it)—'By an oversight, this portion of the Surinjam was retained by Government when the remainder was restored to the present incumbent,' —if you will do me the favour to refer to paragraph 19 of my letter to Government dated December 29th, 1844, to which that note was only an accompaniment, you will find me entering into the following detail:—'I have the honour to state that the family of Vittulrao Poorundhuree has produced twenty-one Sunuds or title-deeds, of which fourteen relate to his Surinjam in Poona and Ahmednuggur, *and seven to his estate in Hindoostan*, which last, *I am informed*, has been resumed, although granted by two Sunuds, dated, one in A. D. 1739 and the other in A. D. 1744, *and which should, therefore, be restored, with arrears*.' While the expression in the foregoing passage—'I am informed'—satisfies me that I had no proof before me of what I asserted, it also satisfies me that my subordinates in the Duftur did not conceal from me their belief that the resumption had taken place."

I certainly cannot perceive that the fact of the above letter having been also written in any way alters the case. The remarks in the lists were to the effect that the villages had been resumed "by an oversight." *This* was the error, and *this* was not corrected by anything stated in the letter: on the contrary, the letter left the remarks unquestioned, and went on to strengthen the case in favour of the restitution by the addition of other facts (*i. e.* that the "estate in Hindoostan" had been granted by two Sunuds, dated, one in A. D. 1739 and the other in A. D. 1744), calculated only to enhance the necessity of remedying the oversight without delay.

79. As the subordinates did not (and the Honorable Mr. Warden is satisfied that they did not) conceal from the Agent "their belief that the resumption had taken place," the only supposition which seems to me to be left is, that they must have misrepresented the circumstances which had shortly before been placed on record in both the English and Murathee offices. I allude here to the subordinates in the *Agent's Office*, and I make this distinction because I am doubtful to whom the Honorable Mr. Warden has

referred when speaking of his "subordinates in the Duftur," for at the close of the same (the 3rd) paragraph "the Poona Duftur" is specified as the place in which no official note "of the resumption of the Hindootan estate was recorded, or at least remembered." But "the Poona Duftur" is the term by which the Peshwas' records, or the office containing them, have always been distinguished; and this office has, if I am rightly informed, never been anything else than one of reference, so that no record of resumption *could* have been made in *it*.

80. However, there remains to be stated that which, added to the foregoing, appears to me conclusively to prove that this information must have been purposely withheld from the Agent; and on the Honorable Mr. Warden's own previous showing on a similar occasion, it appears impossible to accept the opinion he has now expressed, that "the most probable solution of the difficulty is, that as the correspondence was in the English Office of the Agent for Sirdars, and the land to be resumed in country beyond the limits of this Presidency, and the resumption itself, consequently, not carried into effect through the instrumentality of the Agent for Sirdars, no official note of it was recorded, or at least remembered in the Poona Duftur"; for when, on a former occasion, a serious error in the list of 1844—which, had the Government not detected it, would have caused the improper alienation in perpetuity of an estate (the Surinjam of Madhowrao Neelkunt Poorundhuree) valued at Rs. 25,032-4-0—was pointed out by the Government to Mr. Warden, he informed them that the head clerk of the Agent's English Office, in which the correspondence regarding the resumption of these Nimar villages was recorded, had been directed to examine and *revise* the Surinjam lists of 1844 *in their complete state*, because from his "wonderful memory, and thorough knowledge of all past proceedings, he was specially qualified to detect any errors in them." The following portion of the 6th paragraph of the Chief Secretary's letter No. 1896 of the 9th May 1846, addressed to Mr. Warden's successor, Mr. Brown, when he was directed to revise Mr. Warden's lists, clearly explains the circumstances to which I have just referred:—

"6. This very important oversight was pointed out to Mr. Warden when lately in Bombay, previous to his proceeding to England, and his explanation called for. In reply to this reference, Mr. Warden, in a letter dated the 2nd March last, stated that he had altogether lost sight of the orders contained in the Government letter of the 5th January 1838, above alluded to, and that the 'oversight was the more extraordinary as, after he had finished the lists, he had sent them to Amiaba, the head clerk, who had assisted in the preparation of every list of every kind of alienation from the time of Mr. Elphinstone, and who has a most wonderful memory, with directions to revise them, and point out any errors that might occur, and the

circumstance must have escaped him also.' The Governor in Council considers this explanation to be in the highest degree unsatisfactory."

81. Were this the only case in which such things had occurred, I should hesitate to express the unfavourable opinion which I have done, but the very reverse is the fact. I have lately submitted the reports specified in the margin, on cases in which there seems every reason to believe that errors of a much graver nature have been committed, and I would solicit a perusal of these letters, especially of that last enumerated, which shows the Honorable Court and the Government to have passed a decision regarding the Deccan portion of *this very Surinjam* (Chimnajee Vittul Poorundhurree's) on information still more incorrect than that which is now under discussion. (See paragraph 154 of this letter.)

No. 327, 21st September 1852.
No. 163, 2nd May 1853.
No. 493, 19th October 1853.
No. 510, 10th November 1853.

82. In paragraph 4 of the Honorable Mr. Warden's letter, he proceeds to show,—

"1*st*,—Although, had this correspondence been before me, I should most certainly have alluded to it, that I should as certainly not have deviated one point from the course I took in respect to this Surinjam in consequence of such correspondence, the decision of the Supreme Government having been the decision of a totally distinct question from that before me; and 2*nd*, even if it had not been so, that the inquiry originally proposed by me was not only not to be affected by isolated decisions, but that it was on the apparent inconsistency of these local decisions that the Honorable the Court of Directors directed the general inquiry into and decision of these claims on certain definite principles, such inquiry being entrusted to me, though from the delay—extending to no less a period than fifteen months—that occurred in Bombay in disposing of my report, I had quitted India before it was even noticed by the Government, which ordered my successor to test the accuracy of my work, and I have, consequently, ever since felt myself divested of all responsibility as to the result."

I would, before discussing these two points, point out what appears to me a mistake which the Honorable Mr. Warden has made, in stating, with reference to his report of 29th December 1844, No. 225, transmitting the Surinjam lists, that he "had quitted India before it was even noticed by the Government." This I imagine cannot have been the case, as in that portion of the Government letter which I have quoted in my 80th paragraph, it is distinctly stated that one of the most serious errors in the lists "was pointed out to Mr. Warden when lately in Bombay, previous to his proceeding to England, and his explanation called for."

83. The Honorable Mr. Warden having "for perspicuity's sake" disposed "of the last-stated point first,—viz. that it was the nature of these local decisions that led to the general inquiry, which was not to be affected by them,"—I shall discuss it in the same order, and would observe that the local decisions referred to were, if I mistake not, decisions of a widely different nature from the one passed by the Supreme Government in the case of the Nimar villages, inasmuch as not one of those local decisions, that I am aware of, was ever passed with the slightest reference to non-possession at the breaking out of the war with the Peshwa; whereas, the Nimar villages were specially directed to be resumed at the death of Vittulrao Mulhar Poorundhuree (see paragraph 43 of this letter), because it was considered "very doubtful whether" he "was entitled to resume possession of the villages *on any footing* after many years' total abandonment of them."

84. The Honorable Mr. Warden in his 6th paragraph alludes to the order of the Honorable Court of Directors that the application of the Rules laid down in their despatch No. 17 of the 26th October 1842, as those upon which new lists of Surinjams were to be framed, should be "irrespective of a note by Mr. Secretary Maddock, and a Minute by Lord Auckland, advocating a much more extensive resumption than the Directors contemplated,—irrespective, in short, of all that had gone before." I think it will be found that the Honorable Court considered it expedient not to add their original instructions *only because* they considered Lord Auckland's orders *in principle* similar to their own,—at least this is the construction I place upon the 22nd paragraph of the Honorable Court's despatch below quoted:—

> "In these documents a much more extensive resumption of these Jagheers is advocated than that which we have contemplated, but this more extensive resumption is contended for under the erroneous impression entertained by Mr. Maddock, in common with Mr. Mills, that the whole of the existing Jagheers are derived from the Government of the Peshwas, and Lord Auckland thinks that the grants of the Mogul Emperors, and of the Sattara Rajas, should be treated as hereditary. His Lordship's orders are, therefore, in principle similar to our own, and we do not think it necessary to add anything to the instructions contained in the preceding paragraph."

85. I can scarcely consider these instructions to have been irrespective of the Governor General's opinion; but however this may have been, I am certainly not aware of anything on record to show that the orders of the Honorable Court were directed to be carried out irrespective "of all that had gone before"; on the contrary, I am under the impression that the Rules which the Honorable Court laid down were intended to alter or cancel previous decisions

in respect *only* to original date of grant, and that *everything else* was most distinctly ordered to be fully recorded for their consideration and final disposal.

86. It therefore appears clear to me, that in arriving at the conclusion expressed in his 7th paragraph, that his *only** business was to test every claim by these principles,—*i. e. solely* to ascertain and record the date of original grant,—the Honorable Mr. Warden must have misapprehended the intention of the Honorable Court, and the subsidiary instructions which were issued by the Government of Bombay; for it surely cannot be that the orders regarding original date of grant were intended to apply to possession at the breaking out of the war, and still less that these orders could justify the entry of a Surinjam recommended to be restored as having been resumed "by an oversight," the real state of the case being that such resumption had taken place under the distinct orders of the Supreme Government issued after full discussion on two separate occasions (A. D. 1822 and 1841).

87. If the opinion I have just offered be a correct one, it applies with equal force to the remaining portion of the Honorable Mr. Warden's 7th paragraph, in which it is stated,—

> "And so far from the decision of the Supreme Government in respect to Poorundhuree's Nimar possessions being the only one a modification of which in favour of the claimants I proposed, it will be observed that it forms but one of a list of no less than twenty-two decisions by the Government, resuming Surinjams, which I said should be altered."

I cannot admit that this correctly defines what was done; for, in the first place, the remaining twenty-one holdings were simply those which, as granted prior to A. D. 1751, were to be restored on hereditary tenure; whereas, the Nimar possessions were in a totally different position, as they had on inquiry been found not to have been *actually* held at the breaking out of the war with the Peshwa. The other twenty-one cases came within a rule already laid down by the Honorable Court, but not so the twenty-second, for no rule had been defined or even alluded to under which a decision passed—as that of the Supreme Government had been—on the grounds of non-possession became null and void. (See paragraph 34 of this letter.)

88. I have gone thus far in merely showing that the Nimar possessions—albeit one of the twenty-two cases in which restoration was recommended—formed, nevertheless, a case which differed entirely from the remaining twenty-one. But it must be borne in mind that whether this difference existed or not, it had nothing whatever to do with the fact brought to the notice of Government by the Inam Commission (see paragraph 68 of this letter), that in the Surinjam lists

* *Italicised* by Captain Cowper.

the grounds on which the resumption of the Nimar possessions had taken place had been not only omitted to be stated, but had been actually *misstated.*

89. The Honorable Mr. Warden in his 8th paragraph proceeds "to show, secondly, that the question before the Supreme Government and that before me (himself) in respect to these lands in Nimar, was different."

As I understand the case, the two questions, though not precisely similar, were not altogether different. They were not precisely similar because the Rules of 1842, declaring a certain degree of antiquity to be *one* of the essentials to an hereditary tenure, were not in force when the decisions of the Supreme Government were passed; but they assuredly cannot be correctly described as altogether different, unless it can be maintained that, under the Rules of 1842 (those laid down by the Honorable Court, and having no reference whatever to non-possession at the breaking out of the war,—see paragraph 85 of this letter), the abandonment of the Nimar villages for many years previous to the war with the Peshwa no longer presented that obstacle to their hereditary continuance which in the judgment of the Supreme Government had rendered it necessary to issue, in 1822, *a Sunud specially* providing for their resumption at the death of the then incumbent, and to declare that decision final on its reconsideration in 1841.

90. Paragraphs 9 to 17 of his letter the Honorable Mr. Warden has described in his 18th paragraph as a "*précis* of a volume sent to me from Captain Cowper's own office." The greater portion of this information has been already laid before Government in my report of the 28th February last, No. 102; the rest will be hereinafter specially referred to in connection with the Honorable Mr. Warden's opinion (see paragraph 18 of letter) that I was not justified in omitting to insert it in that report; and the whole has been submitted at length on the present occasion, and will be found in paragraphs 22 to 43 of this letter.

91. Such being the case, it only seems necessary for me here to supply one fact which the Honorable Mr. Warden has omitted to state, but which appears to me materially to affect a most important question yet to be noticed.

92. The history of the early inquiry regarding these villages, and of their being eventually confirmed as a life-grant to Vittulrao Mulhar Poorundhuree, is concluded in the Honorable Mr. Warden's 16th paragraph in the following words,—"And the villages were granted, accordingly, as hitherto held, viz. on Zât Surinjam or official tenure, for life." Such was most undoubtedly the case; the villages were granted for life; but they were granted by a Sunud under the Governor General's hand and seal (see paragraph 43 of his letter), in which it was *specified* that they *would be resumed* at the death of the grantee.

93. Before quitting this portion of the subject, I would advert to the Honorable Mr. Warden's application of the term "official tenure" to personal

Surinjams held from the British Government. It is not to question the correctness of the expression that I solicit attention to it, for, without explanation, I am in ignorance of the precise meaning that it is intended to convey; but it is a term which I have never before found used to describe these Surinjams, and I have always supposed its application to be confined to service holdings.

94. I must quote in full the Honorable Mr. Warden's 18th paragraph, as it imputes to me conduct of which I have not been guilty; of which I must clearly show that I have not been guilty; and with which the Government will, I trust, declare I should not have been charged. The paragraph runs thus:—

"I leave it to the Government to say, after the perusal of the foregoing *précis* of a volume sent to me from Captain Cowper's own office, whether he was justified in telling Mr. Hart, the late Inam Commissioner (paragraph 3), that the *only* portion of the correspondence between the Nimar authorities which it was of importance to notice was 'that one of the villages claimed (Chugaum) had been abandoned by Vittulrao Mulhar Poorundhuree long prior to its occupation by the British Government, as contained in a private letter from Colonel Smith to Sir John Malcolm'; for it was not even (as Captain Cowper alleges) a 'fact pointed out by Sir John Malcolm himself to Mr. Chaplin,' but hearsay, on what Sir John Malcolm himself calls a 'private letter,' *written two years and a half before the local inquiry* undertaken by order of the Government to clear up doubts; the facts elicited by that local inquiry being, not, as this private hearsay has it, that the village of Chugaum had been abandoned by 'Vittulrao Poorundhuree long prior to its occupation by the British Government,' but that from the earliest recollection of the local authorities, and who had attained the age of fifty, *the two villages had been in the possession of the Poorundhuree family, to whose local collector they had paid the revenues*."

[See next para.]

95. My explanation is as follows:—

1*st*.—That the information which the Honorable Mr. Warden has left Government to say whether I was justified in withholding, and which is contained in the lines of the last paragraph which I have bracketed (the concluding portion of the last paragraph, commencing with "but that," down to the end), was not in my possession when, on the 28th February last, I reported on the Nimar holdings, nor for nearly two months afterwards.

2*nd*.—That on the 17th November 1852 I addressed the Political Agent in Nimar, calling for any information on his records relative to the Nimar villages, but that I received no reply up to the 28th February of the following year, on which date I submitted my report on the Surinjam, which there appeared no reason for delaying, as I had been furnished with all the

correspondence on the records of the Bombay Government and the Deccan Commission, and with a complete *précis* of past proceedings framed in the Secretariat of the Supreme Government and clearly explaining the grounds upon which the decisions of 1822 and 1840 were passed.

3rd.—That I did not receive the reply dated the 13th April 1853 of the Political Agent in Nimar, which furnished the information (contained in the last few lines of the 94th paragraph of this letter, which are bracketed) to which the Honorable Mr. Warden has made special allusion, until the 20th April 1853.

4th.—That the "volume" which was sent to the Honorable Mr. Warden from my office showed, *on the sheet next to the one* from which that gentleman has quoted the information which he has left Government to infer that I withheld, that I *could* not, as it was then unknown to me, have adverted to that information in my report of the 28th February last.

5th.—That the "volume" thus furnished by me was not called for, but sent *at my own* suggestion, "as the best means of enabling Mr. Warden to obtain the information he may require."

6th.—That I do not, however, for reasons to be hereinafter more fully explained (see paragraphs 100 to 104 of this letter), consider the information thus received from the Political Agent in Nimar to affect in the slightest degree the merits of the case as reported by me on the 28th February.

96. The Honorable Mr. Warden has in his 18th paragraph informed Government, with reference to the ascertained abandoned state of Poorundhuree's villages at the introduction of the British Government, that—

> "It was not even (as Captain Cowper alleges) 'a fact pointed out by Sir John Malcolm himself to Mr. Chaplin,' but hearsay."

But the foregoing is not a correct quotation of anything which I have written; the word "*himself*" has been inserted, and, by its insertion, the force of the sentence on the particular point to which exception has been taken is very materially altered.

97. Government may possibly consider superfluous my explanation of the precise meaning I attached, and considered might be attached, to the expression which I did make use of,—"*pointed out to Sir John Malcolm*"; but the peculiar circumstances under which I am writing render me desirous of carefully avoiding even the appearance of inability to meet fairly and fully each and every point which has been brought forward, and this will, I trust, be deemed to justify the length of this report.

98. A reference to paragraphs 26 and 29 of this report, in which the original letters are quoted at length, will show that Sir John Malcolm *was* the person who pointed out the fact to Mr. Chaplin, inasmuch as *he* was the

person who addressed the Deccan Commissioner. Sir John Malcolm had obtained the information from his own Assistant, Colonel Smith, but *he*, and not his Assistant, furnished it to Mr. Chaplin. Mr. Elphinstone, as Commissioner in the Deccan, furnished to various authorities information obtained just in the same manner; and it has been, I think, usual to describe it just as I did in the present case the information furnished by Sir John Malcolm. Indeed, as far as I am aware, the same rule has prevailed throughout the departments of Government, and where any other course has been adopted it has formed the exception.

99. If I rightly understand the 18th paragraph of the Honorable Mr. Warden's letter, exception is therein taken to the communication of Colonel Smith (quoted in paragraph 28 of this letter) dated the 24th March 1820, which brought to special notice the fact of the Nimar villages having been abandoned by Poorundhuree long prior to the breaking out of the war with the Peshwa, because it was "what Sir John Malcolm himself calls a private letter." It was undoubtedly thus alluded to by Sir John, but it is equally certain that Colonel Smith wrote that letter on the public, and on no other service; that on the public service Sir John Malcolm forwarded it to Mr. Chaplin (see paragraph 29 of this letter); that Mr. Chaplin recorded it among his public correspondence; that the reply to it which he sent to Sir John Malcolm was also thus recorded (see paragraph 30 of this letter); that all these documents have so remained and been considered up to the present day; and lastly, that the information it contained was that on which the Supreme Government, after fully considering the circumstances elicited by a further inquiry which was instituted in 1822, decided that it was "very doubtful whether Vittulrao Mulhar was entitled to resume possession of the villages on *any footing* after many years' total abandonment of them." (See paragraph 34 of this letter.)

100. My next endeavour must be to explain my reasons for believing the information received on the 20th April 1853 from the Political Agent in Nimar not to affect in the slightest degree the merits of the case as reported by me on the 28th of the previous February. (See paragraph 95 of this letter, section 6). The Honorable Mr. Warden thus describes this information in his 12th and 13th paragraphs:—

> "The Assistant in charge of Nimar reported (August 8th, 1822) the information obtained by an examination of Wutundar Patels and Putwarees who were fifty and fifty-five years of age, to the effect that thirty-six years had elapsed since the gift was made on Surinjamee tenure, which reserved the just right of the British Government to the two villages upon the lapse of the proprietor's life.
>
> "13. The village officers assured the Assistant that *from their earliest*

recollection the two villages had been in the possession of the Poorundhuree family, to whose local collectors they had duly paid the revenues."

101. The first inquiry regarding these villages was made by Colonel Smith at some period *before* the 24th March 1820, on which date he informed Sir John Malcolm in regard to them that one, Chugaum, had been "eternally beset by the Pindarees, Ramosees, and other predatory Chieftains until we (*i. e.* the British Government) took charge of it, at their particular requisition, long prior to which it had been abandoned by his (Poorundhuree's) manager"; that the other village, Nugaum, "had been uninhabited by any human creature for a period of fifteen or twenty years, its lands had run into thick jungle, and was, in fact, in a state apparently reclaimless"; and that "the five villages in Nimar, upon which claims are made for Mokassa, are in a state of desolation, and four of them belong to Holkar."

102. Two years and a half after Colonel Smith had ascertained and reported these facts, circumstances having rendered it desirable, in the opinion of the Supreme Government, that "the claims by which the Poorundhur Chief held the villages of Nugaum and Chugaum" should be investigated, a second inquiry was made by Lieutenant Douglas, the Assistant then in charge of Nimar, and on the 8th August 1822 he reported, as the result of an examination of Wutundar Patels and Putwarees who were fifty and fifty-five years of age, that thirty-six years had elapsed since the villages were granted in Surinjam, and that they had from the earliest recollection of the village officers been in the possession of the Poorundhuree family, to whose local collectors they had duly paid the revenues.

103. With a full knowledge of all these facts before them (see paragraph 33 of this letter), the Supreme Government of India decided that it was "very doubtful whether Vittulrao Mulhar was entitled to resume possession of the villages *on any footing* after many years' total abandonment of them," and they were, accordingly, continued during the lifetime of Vittulrao, *but* under a Sunud from the Supreme Government *specially* providing for their resumption at his death.

104. Such were the circumstances under which the Supreme Government decided that the villages had been abandoned, and these are the circumstances which have impressed me with the conviction that Lieutenant Douglas's statement, made in 1822, does not affect in the slightest degree the merits of the case as reported by me on the 28th February last. My reasons for having arrived at this conclusion may be explained as,—

1*st.*—That Colonel Smith, in 1820, must have acquired his information, just as Lieutenant Douglas did two and a half years afterwards, from the village authorities, and, probably, from the very same persons who afterwards

were examined by Lieutenant Douglas, as Colonel Smith, in his letter of the 24th March 1820 (quoted in paragraph 28 of this letter), stated,—

"I have had many of the Chugaum people with me, and have *again** inquired into the merits of the Poorundhuree claims upon that village and Nugaum."

Again,—

"And as they ['the local authorities and old inhabitants,'—these are Colonel Smith's own words] acknowledge having always been treated with due consideration by the managers on the part of that family, I can see no motive that these people have for thwarting the claims in question, were they just."

2nd.—That from the expression "again," used by Colonel Smith, he would appear to have ascertained on some former occasion prior to A. D. 1820, and, probably, on the first occupation of the country, that the villages had been for many years abandoned, and were then in a state of desolation.

3rd.—That the information thus obtained by Colonel Smith at an early period, and when the villagers and others could have had no motive for misrepresentation, must be viewed as evidence of greater value than that furnished to Lieutenant Douglas two and a half years afterwards, when the object of the inquiry, and the correspondence which had taken place between the authorities, must have become matter of publicity.

4th.—That the fact which the Honorable Mr. Warden has apparently dwelt upon, of the informants of Lieutenant Douglas having attained the age of fifty, could not enhance the value of their evidence on a matter of *recent* occurrence,—*i. e.* whether or not the villages had been abandoned prior to the introduction of the British Government,—and which matter was the *only* point at issue; the date of original grant no one had questioned.

5th.—That the Supreme Government of India appear to have taken this view of the case, and to have rejected the *second* statement made before Lieutenant Douglas.

6th.—That the decision passed by the Supreme Government in 1822, and confirmed on reconsideration in 1841, cannot be questioned *on the same, and on no other facts* by any subordinate authority, much less by Captain Cowper.

105. The Honorable Mr. Warden, in his 19th paragraph, adverting to these Nimar villages, states,—

"In other words, Poorundhuree enjoyed, till the British accession, all that the 'eternal' ravages of the Pindarees left *any one* to enjoy of the

* *Italicised* by Captain Cowper.

Surinjam granted to him by the Peshwa under two Sunuds, before even Holkar ever went to Hindoostan."

But this surely must be a mistake; for although the devastation committed by the Pindarees is matter of history, I am still under the belief that at the Peshwa's downfall we found many persons in Nimar in the enjoyment of more than Poorundhuree, and that we did not find every village in the state in which Colonel Smith described those of Poorundhuree to have been found,—abandoned long prior to our occupation of them, uninhabited by any human creature for a period of fifteen or twenty years, run into thick jungle, and in a state apparently reclaimless.

106. In his 21st and 22nd paragraphs (below quoted) the Honorable Mr. Warden again defines the question which was before the Governor General in 1822 and 1841, and that which was before himself in 1844, when framing the new Surinjam lists:—

"21. The question before the Governor General in Council was—'Is this an Inam or a Zât Surinjam?' The question before me was—'Was this, which has been acknowledged a Zât Surinjam or official tenure, for life, as hitherto held, attended, in its origin and continuance, by such circumstances as, according to the concessions made to the Surinjamdars by the home authorities subsequently to the general settlement of the country, by which all *were restored as life-grants only*, and subsequently to the orders of the Government of India on this particular claim, to entitle the Surinjamdar's family to more than the Supreme Government gave him?'

"22. Losing sight altogether of the important circumstance that the question, and the only question, before the Supreme Government, was whether the grant was a free hereditary gift or an official life-grant, great stress is laid throughout the whole of the recent discussion on the fact that the Supreme Government pronounced it to be the latter, overlooking that it was so pronounced in contradistinction only to its acknowledgment as an hereditary free gift by Sir John Malcolm; and, above all, overlooking that, in so limiting the alienation, the Governor General in Council only placed this Zât Surinjam on the precise footing of every other Surinjam in the Peshwa's late dominions,—on the precise footing of every man whose name is borne on the Surinjam list; and that to have conceded to Poorundhuree anything except a life-grant would have been to do more for him than had at that time (A. D. 1822) been done even for the Surinjamdars whom the Honorable Court of Directors have since declared to be entitled, by the respect yielded to prescription, to inheritance in the 'fullest sense of the word'; for although Mr. Elphinstone left notes for future guidance in the words 'hereditary,' 'for life,' &c., he told the Governor General

that the decision had in no case been communicated, and the Governor General ordered that every fair opportunity should be taken to reduce the Surinjams which in each case of lapse were to be resumed, and, if continued, to be so as an act of grace."

This definition does not seem to be borne out by the record (see paragraph 34 of this letter), which clearly shows that when the Supreme Government decided on the *nature* of Poorundhuree's tenure they also discussed the important question of actual possession when the war broke out, and found that, having abandoned the villages, it was very doubtful whether he was entitled to resume possession of them on *any tenure*. This was the fact to which the Supreme Government adverted when sanctioning the continuance of the villages, *not* as the other Surinjams had been continued, but under a Sunud specially providing for their resumption at Vittulrao Mulhar's death.

107. I am unable to admit that I lost sight, as the Honorable Mr. Warden supposes me to have done, of the important fact that the *only* question before the Supreme Government was whether the grant was a free hereditary gift or an official life-grant, because, for the reasons explained in the last paragraph, I did not conceive that this *was* the only question at issue; and I must also point out that in having laid great stress throughout the whole of the recent discussion on the fact that the Supreme Government pronounced it to be the latter,—*i. e.* a life-grant,—I by no means overlooked that it was so pronounced in *contradistinction only* to its acknowledgment as an hereditary free gift by Sir John Malcolm, for I am not even now aware that such was the case. As I understand the decision of the Supreme Government, the life-grant was a concession made not only in contradistinction to, but also in *consideration* of Sir John Malcolm's acknowledgment, or in fulfilment (to use the very words of the Supreme Government,—see paragraph 34 of this letter) of "any obligation which the proceedings of the late Agent (Sir John Malcolm) may have imposed."

108. The Honorable Mr. Warden in the same (the 22nd) paragraph expresses an opinion that I overlooked "that in so limiting the alienation the Governor General in Council only placed this Zât Surinjam on the precise footing of every man whose name is borne on the Surinjam list." But I do not perceive that the Surinjam *was* ever placed on this footing; on the contrary, there is, I think, clear proof that it was *not*; for it was distinctly declared by the Supreme Government to be restored, partly, in consideration of an erroneous declaration previously made by Sir John Malcolm that it was an Inam holding; and it was restored by a Sunud under the seal of the highest authority in India, *specially* providing for its resumption at the death of Vittulrao Mulhar; whereas, the other Surinjams were restored under different circumstances, and placed on quite a different footing, inasmuch, as in their case

possession at the breaking out of the war was considered to have been proven, and the Government had pledged themselves to their restoration for the lives of the then incumbents, but with the important *additional* declaration* *not* that they *would* be resumed at their death, but that the question of further continuance would then be taken into consideration and determined.

109. I entirely concur with the Honorable Mr. Warden in believing "that to have conceded to Poorundhuree anything except a life-grant would have been to do more for him than had at that time (A. D. 1822) been done even for the Surinjamdars whom the Honorable Court of Directors have declared to be entitled, by the respect yielded to prescription, to 'inheritance in the fullest sense of the word.'"

But I question, for the reasons assigned in the last paragraph, the inference which I understand to be left to be drawn that Poorundhuree held the Nimar villages on the exact footing upon which the Surinjams generally had been restored.

110. For the same reasons, I cannot perceive, as the Honorable Mr. Warden does (see paragraph 23 of the Honorable Mr. Warden's letter), that—

> "The moment the Supreme Government rejected Poorundhuree's claim to be an Inamdar, and declared him a Zât Surinjamdar, he was placed on precisely the same footing as all other Zât Surinjamdars, and entitled to share in all the privileges hereafter conceded to that class of landholders."†

Neither can I agree in thinking that—

> "As Mr. Elphinstone originally intended that his Surinjam, including the Nimar villages, should be hereditary, unless it can be shown that it will not stand the test under which it has found its way into its present place on the lists, Poorundhuree is as much entitled to the indulgences of A. D. 1842 as the twenty other Surinjamdars whose Surinjams had been not merely pronounced to be life-grants, but actually resumed by the Government before I (the Honorable Mr. Warden) entered on the inquiry, but which are now in the quiet possession of the heirs."

For it seems to me clear that the test under which Poorundhuree's Nimar Surinjam has found its way into its present place in the lists has been insufficient, and has not been applied to *all* the facts of the case. The "twenty other Surinjams" were, as I have already explained (see paragraphs 86 and 87 of this letter), differently circumstanced,—they were holdings supposed to have been

* For fuller information on this point, reference should be made to paragraphs 16, 17, 34, 38, 39, and 43 of this letter.

† It is to be remarked that all Surinjamdars are not "landholders"; a very large number of them enjoy nothing more than a proportional cash payment from the revenues of villages belonging to Government, or to other parties.

held at the breaking out of the war, and their restoration, therefore, as grants made prior to A. D. 1751, infringed no recognised rule, and was opposed to no previous decision grounded on such rule, as in Poorundhuree's case.

111. But here precisely the same thing has occurred as in the case of the Palanquin Surinjam allowance on which I reported on the 2nd May last (No. 163),—whether these Nimar villages can be restored without such infringement of *recognised* Rules (*i. e.* the rule laid down by Mr. Elphinstone, confirmed by the Governor General, and up to this day never rescinded, that "No right to possession is ever intended to be recognised that was not in force at the breaking out of the war"), and without completely disregarding all the decisions previously passed thereon, is a question which has not yet been submitted for consideration; it was not only omitted to be brought forward in the Surinjam lists of 1844 and 1847, but in its place a wholly different and incorrect statement was made, that the villages had been retained by an "oversight."

112. The next eight paragraphs (24 to 31) of the Honorable Mr. Warden's letter advert to the "grounds on which Mr. Hart and Captain Cowper have attempted to show that the Nimar Surinjam was differently circumstanced from that in the Deccan"; and with reference to this portion of the subject, the honorable gentleman considers (paragraph 26) it "very remarkable that both these officers of the Inam Commission have *abstained** from inviting the attention of the Government to the *best* evidence as to possession,—viz. the evidence obtained on the spot by the Assistant five years after the war."

113. These are grave charges, and, as such, should not be lightly hazarded by any one, still less by an officer who, at the time of penning them, was a member of the Government. Charges like these impugn seriously the official character of any Government servant, and more especially of those in the performance of duties such are entrusted to the officers of the Inam Commission, whose official position and prospects such charges would, if correct, affect most injuriously.

114. To return to the facts of the case. They may be very briefly adverted to in this place, as I have already explained at length (see paragraphs 100 to 104 of this letter) my reasons for considering the evidence obtained in 1822 by Lieutenant Douglas to be worthless in comparison with that furnished to Colonel Smith, *from the same sources, several years previously;* I have also pointed out that the Supreme Government appear to have grounded their decision on the same opinion; and, lastly, I have shown that neither Mr. Hart nor myself *could* have *abstained* from inviting the attention of Government to that with which we were not acquainted.

* *Italicised* by Captain Cowper.

115. The concluding portion of the Honorable Mr. Warden's 26th paragraph runs thus:—

> "Mr. Chaplin, with the Peshwa's Sunuds in his hand and Poona Duftur before him, declaring at the same time that the villages remained in Poorundhuree's name in the Duftur accounts, and were considered to be in his possession up to the war."

It has never, as far as I am aware, been questioned that the villages remained in the Duftur accounts in Poorundhuree's name, but I have failed to discover anything on record to show that Mr. Chaplin considered him to have been in *actual* possession of them up to the war; on the contrary, in all the correspondence of Mr. Chaplin (see paragraph 30 of this letter) which I have seen, and in which the question is discussed, the *fact* of the abandonment seems to be admitted.

116. In his 27th paragraph the Honorable Mr. Warden asks,—

> "And if not in Poorundhuree's possession, in whose possession were they?—for the Government will observe, from the annexed extract of a letter from Captain Cowper to the new Inam Commissioner, Mr. Manson, which he has just sent me, that the villages were not in the possession of the only other party entitled to possess them,—viz. the Peshwa, to whom they belonged."

The reply seems obvious; they were *not* in Poorundhuree's possession; they had been long before abandoned by him, and they were found thus abandoned when British rule was introduced into the province; *therefore* it was that the Supreme Government declared his claim to resume possession of them, on any footing, to be very doubtful, and (to use Mr. Elphinstone's own words) declined to recognise a "right to possession" found not to have been "in force at the breaking out of the war."

117. I have quoted in the 6th paragraph of this letter Mr. Elphinstone's instructions regarding *Inams:* these orders were *à fortiori* applicable to Surinjams, and they declared—"No right to possession is ever intended to be recognised that was not in force at the breaking out of the war." Now this order seems to me exactly to meet the case under discussion. Poorundhuree's right to possession may have existed on paper, but it was not in force at the breaking out of the war.

118. When, subsequently, Mr. Elphinstone laid down a specific rule for Surinjams, he appears to have laid just the same stress on *actual* enjoyment in declaring (see paragraph 7 of this letter) that "No Jagheer not actually enjoyed up to the war was to be restored, unless specially directed so to be."

119. As the whole of Mr. Elphinstone's arrangements and orders were

reported to, and approved of by the Supreme Government (see paragraph 9 of this letter), it may fairly, I think, be presumed that they were not lost sight of when it was decided, in A. D. 1822, that abandonment of the villages for many years had rendered Poorundhuree's right to resume possession of them very doubtful.

120. That Mr. Elphinstone required, and looked to actual possession (*i. e.* enjoyment), his writings, I think, clearly show; and I doubt not that many instances can be found in which he carried this out in practice,—one, and a very striking one, was described in paragraphs 8 to 12 of a report (No. 493 of the 19th October 1853) which I lately submitted upon the Surinjam of the Wamorekur family. These paragraphs are below extracted:—

"8. I have thought it necessary thus specially to allude to the village of Jowkerreh, which Mr. Elphinstone did not restore, because the case is one proving, it appears to me, beyond doubt, that neither the Peshwa's title, nor the Peshwa's acts, nor anything else, were held to confer a right to the restoration of that which was not 'actually enjoyed up to the war.'

"9. It requires no great search to discover a motive for this arrangement, which was not more simple than equitable. The late rulers and magnates of the conquered country, whatever they might expect from the generosity of the victors, could not suppose that the British Government would place them in possession of that which they did not hold when the war broke out; while, on the other hand, Mr. Elphinstone must have known the pre-existing state of affairs too well not to be aware that to attempt an inquiry into the acts of the Peshwas' Government, or into the acts of others which that Government tolerated, would have been a simple impossibility; and it is not, therefore, difficult to understand why he should have based his arrangements on a broad rule which was just in principle, intelligible to the people, and easily carried out in practice.

"10. As perhaps the most striking instance of this on record, I would point out the old and noble families whom Bajee Rao had arbitrarily ruined, and for whom Mr. Elphinstone considered it not more humane than politic to make provision; but he never thought of doing so by attempting to discuss the validity of Bajee Rao's acts, or by restoring that of which Bajee Rao had deprived them,—they were provided for by the grant of pensions for their lives. (See paragraph 26 of Mr. Elphinstone's despatch of the 18th June 1818, and paragraph 22 of the reply from the Chief Secretary to the Government of India dated the 26th September following.)

"11. To return to the history of Jowkerreh. The whole village, exclusive of the Mokassa Umul, was granted by the Peshwa to Nagoram in Surinjam, by a Sunud the registry of which is forthcoming in the State diary of the 2nd Rumzan, Esunay Sumaneen (A. D. 1781-82), and was

according to the statement of the district hereditary officers [furnished to Mr. Elphinstone, and found among the records of the Deccan Commission], forcibly wrested from him eighteen years afterwards (in A. D. 1799-1800) by Sindia, who kept it, apparently, up to the war in A. D. 1817, though not only without the Peshwa's sanction, but in defiance of his authority, as is shown by a Surinjam memorandum of A. D. 1807-08, drawn up at Poona, and in which Jowkerreh is entered as forming a portion of the Surinjam of Bulwuntrao Nagnath, the son of Nagoram.

"12. Mr. Elphinstone, having ascertained these facts, did not restore Jowkerreh to Bulwuntrao Nagnath, but left it, as he found it, in the possession of Sindia, with whom it has remained up to this day."

121. In his 28th paragraph the Honorable Mr. Warden states :—

"28. As to the *interruption* of possession, if the Peshwa himself was so little able to maintain his own supremacy over Sindia as that he withheld, till the Peshwa had ceased to reign, villages ceded through the instrumentality of the Duke of Wellington, by the Treaty of Surjé Anjungaum, so long before as 1803, does it weaken Poorundhuree's claim to consideration that he was the victim of this powerful Chieftain, and of the Minister whose hands were stained by the blood of an ambassador to his master's court? But even this usurpation was short, and did not, so far as I can discover, last till the war, as asserted by Mr. Hart and Captain Cowper, but ceased, as testified on the spot by Colonel Smith, six years before the British conquest."

Whether Sindia or Trimbukjee Denglia, as the Peshwa's agents, ever did or did not obtain possession of these Nimar villages, it has never, so far as I am aware, been thought necessary to discuss; and if so, it is certain that the point cannot have formed an element of any decision hitherto passed: still, however, I am obliged to offer at some length an explanation on several points to which the Honorable Mr. Warden has adverted, and some of which he has described most incorrectly. I would submit for consideration,—

1*st.*—That the alleged usurpation by Sindia and Trimbukjee Denglia has not only never been "asserted by Mr. Hart and Captain Cowper" to have lasted "till the war," but has never yet been *alluded to by them at all:* it is referred to in the correspondence relating to the inquiry made by Lieutenant Douglas in 1822, with which it has been explained that neither Mr. Hart nor Captain Cowper were, when their reports were submitted, acquainted, but which very correspondence they are charged by the Honorable Mr. Warden with having "abstained" from bringing to the notice of Government.

2*nd.*—That so far from any such usurpation having been, in respect to

its cessation, "testified on the spot by Colonel Smith," it appears never to have been alluded to by Colonel Smith at all.

3rd.—That supposing Poorundhuree to have been, although neither Mr. Hart nor Captain Cowper have assumed or asserted that he was, "the victim of this powerful Chieftain" (Sindia), his (Poorundhuree's) right to possession, had it not been "in force at the breaking out of the war," would have been disallowed in favour of Sindia, just as was done in the case of Jowkerreh, which has been explained in the 120th paragraph of this letter.

4th.—That following this last supposition, and admitting Trimbukjee Denglia to have obtained possession of these Nimar villages "six years before the British conquest" (*i. e.* about 1811), his hands were not then "stained by the blood of an ambassador to his master's court," as Gungadhur Shastree's murder took place on the 14th July 1815.

5th.—That the *character* of the agents of the Peshwa, by whom resumptions were ordered or carried into effect, does not appear to have been considered by Mr. Elphinstone as affecting the validity of resumptions, a very large proportion of which, during the reign of the last Peshwa, were made, not under his (Bajee Rao's) own Sunud, but under the orders of his agents, of whom Trimbukjee Denglia was one of the most trusted, although one of the most unscrupulous. In regard to *even Inams*, Mr. Elphinstone's instructions were—"Inams resumed by Bajee Rao, or former Peshwas, are not meant to be restored." (Circular to Collectors dated 27th June 1818.)

122. I am obliged to differ *in toto* from the opinion which in the 29th paragraph of his letter the Honorable Mr. Warden has thus expressed :—

"It is true that the Governor General in Council of that day speaks of the total abandonment of the villages for many years, but, judging from the evidence that was before him, I conclude this abandonment referred to the deserted village of Nugaum only, for the 'local collector' duly received the revenues of Chugaum, this 'local collector' having been (as I am informed by the last of the hereditary Duftur Karkoons (whose father and grandfather were in the Duftur, and who was himself employed on the Surinjam settlement under Mr. Elphinstone,—Raojee Pendsay, who is now employed under the Inam Commissioner) a Gosain to whom Poorundhuree was largely indebted, and to whom, therefore, he assigned the revenues of these two villages."

The evidence before the Governor General,—that is to say, the evidence obtained by Colonel Smith,—and it was on this evidence that the *final* decision was passed,—this evidence distinctly referred, *not* to one village, *but to all.* It showed that at the introduction of the British Government Chugaum had long previously "been abandoned by his (Poorundhuree's) manager;" that

Nugaum had been uninhabited by any human creature for a period of fifteen or twenty years"; and that the five villages in Nimar upon which claims were made for Mokassa were "in a state of desolation." (See paragraph 28 of this letter.)

123. The information furnished to the Honorable Mr. Warden by "Raojee Pendsay" does not seem to me to prove or disprove anything, for the hereditary Karkoon's services in the Peshwa's Duftur at Poona cannot have qualified him in any degree to speak of what he personally knows nothing whatever about, nor can these services impart any value to his evidence regarding occurrences which took place half a century ago, at a distance of many hundred miles from Poona where he then was, and at a place which during his lifetime he has never visited. Whatever Raojee Pendsay has stated has been stated *on what he says he heard*, some forty years ago, from one of the Karkoons of the Poorundhuree family, not now alive; any personal knowledge Raojee Pendsay does not profess to have.

124. Referring to Raojee Pendsay's information, the Honorable Mr. Warden in his 30th paragraph states,—"Poorundhuree has informed me that Raojee Pendsay's statement is true"; but Poorundhuree's information is even of less value in this matter than that of Raojee Pendsay, for Chimnajee Vittul, the present representative of the family, *was not born* when the Deccan was conquered, and I have been informed that not one of the Karkoons who served his father prior to A. D. 1817 is now alive.

125. The Assistant in charge of Nimar has, in a note dated the 17th August last (quoted in paragraph 30 of the Honorable Mr. Warden's letter), informed the Resident at Indore that "Colonel Smith settled Nagowa" (or Nugaum, as the village has been spelt in this letter) through a Gosavee named "Futtehgeer Mhunt," and this "Futtehgeer" was, the Honorable Mr. Warden states in his 30th paragraph, the "very person to whom Poorundhuree says he assigned his villages in liquidation of his debts." Now this assignation refers to a period before the introduction of the British Government, and, assuming it to have been made, the fact furnishes, in my opinion, strong presumptive evidence that the village *must* have been found, just as Colonel Smith reported, in a wholly abandoned state; for can it be reasonably supposed that this Gosavee, through whom Colonel Smith settled the village, would have represented, or would have quietly allowed to be represented to, or by Colonel Smith, that the village was an abandoned and uninhabited one, when the reverse was the case? I certainly think not, unless it can be maintained that this Gosavee, or any other man, would have been likely voluntarily to make over to the British Government, and thus to deprive himself of the revenues of a village assigned to him in liquidation of a debt, which he would receive so long, and so long only, as the village remained with his debtor (Poorundhuree).

126. To render intelligible my objections to the 31st paragraph of the Honorable Mr. Warden's letter, I must briefly recapitulate the circumstances under which I am submitting this explanation (explained at length in paragraphs 22 to 73 of this letter). These Nimar villages were, at the first settlement of the country by Colonel Smith, found to have been abandoned by Poorundhuree long before the war with the Peshwa; they were after this restored by Sir John Malcolm *as Inam*, but this was done by a palpable mistake; they were, by order of the Supreme Government, subjected to a second inquiry some two and a half years afterwards (in 1822), when Lieutenant Douglas reported having been informed by old village officers that from their earliest recollection Poorundhuree had, through his local collectors, received the revenues of the villages; they were, *after* this *second* inquiry, considered by the Supreme Government to have been, as Colonel Smith had reported, abandoned long before the war broke out; they were, *therefore*, continued to Poorundhuree for life, but under a Sunud specially providing for their resumption at his death; and at his death in 1840 they were resumed accordingly. The Agent for Sirdars, Mr. Mills, questioned the propriety of this resumption, and the case was, in consequence, reconsidered by the Supreme Government, who reiterated their previous decision, and Mr. Mills was so informed; they were subsequently entered by the Agent, Mr. Warden, in Surinjam lists prepared by him in 1844, and the resumption was described as having been made " by an oversight." The same thing took place when Mr. Warden's lists were revised in 1847 by his successor, Mr. Brown. *On this information* the Honorable the Court of Directors sanctioned their restoration, which took place, with the payment of arrears to the amount of nearly Rs. 14,000. In 1853, having discovered this error, I reported it, without making the slightest allusion to Poorundhuree personally, or to anything but the bare facts of the case. On this report the Supreme Government, at the recommendation of the Government of Bombay, directed the immediate resumption of the villages; and, lastly, the late Agent for Sirdars, Mr. Warden, was called upon to explain the erroneous entry in the lists which he had framed.

127. To this call for explanation the Honorable Mr. Warden, having meanwhile become a member of the Bombay Government, has written, as "late Agent for Sirdars," the reply, in regard to the first 30 paragraphs of which I have already recorded my explanation; the 31st paragraph is given below entire:—

"31. That he abandoned Nugaum, in the sense in which a man abandons his own house when set on fire by an armed banditti, is quite true: the land was wasted, the dwellings were desolated, and the village 'without a light,' as the Natives express it; but not because Poorundhuree

abandoned them, but because hordes of Pindarees carried fire and sword over the plains of India; and it would be a miserable subterfuge, unworthy of the British Government of A. D. 1817, still more of that of A. D. 1853, reigning over an empire, stretching, under the genius and energy of the present Governor General, from the confines of China to those of Affghanistan, to tell one whom Mr. Elphinstone described as 'poor and in debt, and who left the Peshwa early'—'You could not hold your own against those freebooters, the extermination of whom was only effected through the instrumentality of a confederacy of all the Muratha powers, and of the united armies of the British in India commanded by the Governor General in person; and you should, therefore, be treated as one who abandoned his post, and be stripped of the indulgence conceded to all other Surinjamdars except yourself.'"

128. If I rightly describe that which has led to the present discussion, it amounts to neither more nor less than an inquiry regarding a grave error which has been detected in the Surinjam lists of 1844 and 1847. To connect this with the subjects to which the Honorable Mr. Warden has made such pointed allusion seems to me both unnecessary and undesirable,—unnecessary, because the question at issue is one which has, apparently, nothing whatever to do with the policy and power of the British Government, or the poverty and loyalty of the subjects of that Government; and undesirable, because, if there is any one department of the State the efficient and satisfactory working of which must, more than that of any other, be affected by such appeals, made under such circumstances and from such a quarter, that department is assuredly the Inam Commission.

129. While on this portion of the subject, and to prevent the necessity of recurring to it, I beg to extract the following passage from the Honorable Mr. Warden's 49th paragraph, merely remarking that it was written *long after* the resumption of these villages had been *ordered and officially notified* (see paragraph 72 of this letter):—

"And I state my opinion, respectfully but unreservedly, that to resume these villages without a reference to England, is at once to disobey the home authorities, and violate public faith with the son of a poor and loyal subject who abandoned the Peshwa's standard as soon as the British flag was hoisted."

130. I have next to explain the circumstances under which Poorundhuree has not been permitted to resume possession of the Pétah of Boorhanuggur, in the Ahmednuggur Collectorate, to which Pétah and to the Nimar villages his right was, at the introduction of the British Government, apparently one and the same. The Honorable Mr. Warden in his 32nd and 33rd paragraphs thus adverts to this matter.

"32. Captain Cowper next asserts that the village of Boorhanuggur—Poorundhuree's claim to which was rejected—was exactly in the position of the Nimar ones. What this position was I have shown, and in Captain Cowper's own book, already referred to, I find evidence, certainly bearing no better authority than my own signature,—but still what must be taken to be true till proved to be false,—as to the condition of Boorhanuggur. It is a report addressed by me, as Agent for Sirdars, to the Government, so long ago as May 4th, 1843; it is as follows:—

"'On reference to the records of the Peshwas' Government, it appears that the portions of the revenue of the village of Boorhanuggur claimed by the petitioner were restored to his grandfather about A. D. 1759, and again entered in the following year as public property, in consequence of its being deserted; *and this was the state in which, according to the Duftur accounts, it continued till the accession of the British Government;* and the Collector of Ahmednuggur reports *that the village has been deserted for one hundred and fifty years, and that there is no record of the petitioner ever having enjoyed what he claims,* and, in fact, there is nothing to enjoy, for the village being deserted, its land must be waste.

(Signed) "'JOHN WARDEN.'

"I leave the Government to determine whether Captain Cowper's assertion is borne out by his own record."

131. My assertion is certainly not borne out by the record just quoted, but my assertion was not made upon it, but upon the following facts to which that record makes no allusion:—

1*st.*—That although from first to last Pétah Boorhanuggur is entered in the Peshwas' accounts as deserted, it does not seem ever to have been entered "as public property," inasmuch as it is altogether deducted from the estimated revenue of the district, and not brought to account under any head at all.

2*nd.*—That it was a common practice thus to deduct deserted villages, whether alienated or otherwise.

3*rd.*—That such deduction, made solely on the *recorded* grounds of the deserted state of a village, does not, therefore, prove it to have been public property.

4*th.*—That in the present case, however, nothing is left to be inferred, as the State records of the Peshwas' Government afford proof that Pétah Boorhanuggur, although entered in the accounts of revenue management as deserted, and, consequently, deducted in the whole of these accounts, was, nevertheless, *at the same time specifically* recognised by the *Peshwa's own Sunud* as alienated to Poorundhuree, and that such formal recognition was

made, not once, but on several occasions, and renewed on the demise of each representative of the family. The entries in the State records are as follows :—

I.—A letter of injunction (Takeed Putru) from the Peshwa, dated A. D. 1763-64, and directing the restoration of Pétah Boorhanuggur to Dhondoo Mulhar Poorundhuree.

II.—A list of alienations, framed in the Peshwas' Duftur, dated A. D. 1763-64, and showing Pétah Boorhanuggur as then alienated to Dhondoo Mulhar Poorundhuree, with the remark that, being deserted, it was annually deducted in the accounts at its nominal (Tunkha) valuation.

III.—A letter of injunction (Takeed Putru) from the Peshwa, directing the restoration to Dhondoo Mulhar Poorundhuree of Pétah Boorhanuggur, which had been attached in the preceding year.

IV.—A detailed memorandum framed in the Peshwas' Duftur of the Surinjam held by Dhondoo Mulhar Poorundhuree in A. D. 1768-69, and showing Pétah Boorhanuggur as then alienated to him.

V.—A similar document for A. D. 1773-74.

VI.—A Sunud issued by the Peshwa in A. D. 1781-82, reciting the death of Dhondoo Mulhar Poorundhuree, and directing the continuance, in Surinjam, of Pétah Boorhanuggur to his two sons, Chimnajee and Mulhar, and to his grandson, Bhugwunt Rao Sudashew.

VII.—A Sunud issued by the Peshwa in A. D. 1786-87, reciting the deaths of Mulhar Dhondoo Poorundhuree and of Bhugwuntrao Sudashew Poorundhuree, and directing the continuance, in Surinjam, of Pétah Boorhanuggur to the son of Mulhar Dhondoo, Vittul Mulhar, who was alive and the claimant at the introduction of the British Government.

132. I have now before me a Murathee memorandum, No. 59 dated the 27th April 1843, containing the information which was furnished in this case from the Peshwas' records to the Agent for Sirdars, Mr. Warden, and on which the Agent's report to Government of the 4th May following was, I presume, framed. This memorandum does not, as it assuredly ought to have done, contain any of the information I have now afforded; it is signed by no one, but is in the handwriting of a Karkoon on the Agent's establishment, named Bapoo Gooroojee, who, I am informed, was then, and had long been specially employed in extracting information from the Peshwas' records.

133. The Honorable Mr. Warden in the 34th paragraph of his present letter has laid great stress on the fact of the Nimar villages having been included in Mr. Elphinstone's lists. That this *proved* nothing in regard to *actual enjoyment* I before stated in my report of the 28th February last, and I am about in a subsequent portion of this letter (see paragraphs 136 to 139)

to explain at length the grounds upon which I believe such to have been the case; but apart from this, it is quite certain that in regard to their entry in Mr. Elphinstone's lists, the Nimar villages and Pétah Boorhanuggur (see paragraph 14 of this letter) were upon one and the same footing, so that the arguments brought forward in the Honorable Mr. Warden's 34th paragraph must apply with equal force to both of these holdings.

134. But supposing such an entry to prove anything, which in my opinion it cannot, for the simple reason that it was made not only subject to inquiry, but on grounds which that subsequent inquiry proved to be erroneous; supposing it to be otherwise, however, it remains to be stated that Pétah Boorhanuggur was not only included in the register of Jagheers *actually* restored, framed by Mr. Chaplin in 1822, but was subsequently entered in the list furnished to Government by the Collector of Ahmednuggur on the 26th February 1840, and purporting (see paragraph 47 of this letter) to show the detail of the Surinjam which had been held by Vittulrao Mulhar Poorundhuree up to his death on the 12th January 1840.

135. This was the information on which I stated (see paragraphs 130 to 134 of this letter) in my report of the 28th February last, "that the village of Boorhanuggur, Poorundhuree's claim to which was rejected, was exactly in the position of the Nimar ones"; and I hope that I have now satisfactorily shown that I made this statement on sufficient grounds. There cannot, I apprehend, be any question that Poorundhuree's right of possession, in so far as it was derived from the Peshwa's title, existed in each of these two cases at the breaking out of the war; but there can, I think, be as little doubt that such right of possession was not at that time "in force."

136. In the 19th paragraph of my report dated the 28th February last I stated,—

The Nimar villages "were included, it is true, in McDonnell's statement, *but subject to inquiry,* which was afterwards made by Mr. Chaplin, and which proved that they did *not,* like the Deccan villages, fulfil the terms on which alone Mr. Elphinstone had contemplated the restoration of any holding, whether Surinjam or Inam." To this statement the Honorable Mr. Warden has taken serious exception, and has in his 34th paragraph explained,—

"The truth being, so far as I have been able to discover it, that the amount of Rs. 10,832-5-3 which Mr. Elphinstone actually granted* (as proved by the annexed extract, not from Mr. McDonnell's statement, but from Mr. Elphinstone's own Surinjam list) was composed of the items specified below.

* "'Almost the whole of those *grants* have now been issued,'—he, as Governor in Council, wrote to the Government of India as early as May 11th, 1820."

" Poona	Rs.	743	14	0
Ahmednuggur		5,650	7	3
Khandeish		1,300	0	0
Sattara		75	0	0
Nimar		3,063	0	0
	Total....Rs.	10,832	5	3

" *Extract from Mr.* ELPHINSTONE'S *List of Jagheers.*

Number.	Name.	Class.	Remarks.	Decision.	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.	Estimated real Value at present.	Pensionary Provision.	For what Period recommended.
					Rs. a.	Rs. a.		
7	Vittulrao Poorundhuree, Rs. 20,949; 78 years; resumed Rs. 5,369.	Mootsudees.	He is of the great family of Poorundhuree. He is poor, and in debt. He left the Peshwa early in the war, and returned to his village of Moortemoondwah, but concealed himself to avoid waiting on me when I passed it in April.	To retain the whole of his Jagheer, according to Rule No. 3. Land.	10,832 5¼	4,366 14½	..	Hereditary.

And so far from any inquiry having been left to be made by Mr. Chaplin, he, in his second letter to Sir John Malcolm on this subject, dated January 26th, 1820, says:—' It *was* therefore decided that they (the Nimar villages) should be restored to him (Poorundhuree) by our Government, ***in common with the personal Jagheer of all persons considered deserving of this indulgence throughout the whole of the late Peshwa's possessions.*** You will observe that the claims of those who held their personal Jagheers of the Peshwa are quite distinct from such as held Jagheer grants from foreign princes, as in the case of Holkar alluded to in Mr. Elphinstone's letter of the 17th July. ***As the Supreme Government has already sanctioned the Honorable the late Commissioner's proceedings on these points,*** you will not, perhaps, under this explanation, consider a further reference necessary.' "

In his next (the 35th) paragraph, which is quoted entire, the Honorable Mr. Warden expresses the following opinion :—

"The foregoing extracts speak for themselves, and I abstain from remark."

137. Now, although the "foregoing extracts" are, as far as they go, perfectly correct, they do not state the whole case; indeed, they omit every portion of the case which bears out my assertion. I will now supply this deficiency, and believe that I shall be found to have laid before Government not only the "truth," but the whole truth, and nothing else.

138. Mr. Elphinstone, a few days after his lists of Jagheers were sent to Calcutta, assumed charge of the Bombay Government, and was succeeded as Commissioner by Mr. Chaplin, who, *three years afterwards*, on the 28th October 1822, submitted (see paragraphs 18 to 20 of this letter) "A register of all personal Jagheers which have been restored by Government, and are now held in the Deccan"; and in doing so, informed the Bombay Government,—"A very considerable reduction has actually taken place, both in granting the Jagheers and from lapses." *This* was the inquiry to which I alluded in my former report, and I now find, on reference to the register itself, that in regard to no less than *fifty-six* of the Surinjams entered in Mr. Elphinstone's list, the alterations shown below resulted from Mr. Chaplin's inquiry :—

Altered in respect either to the amount restored or the persons to whom the Surinjam was granted	21
Reduced in amount	5
Not restored at all, Mr. Chaplin having discovered them not to have been enjoyed at the breaking out of the war..............	30
Total number of alterations....	56

139. This, I think, establishes the fact of Mr. Elphinstone's proposed grants having been subject *generally* to inquiry, which was afterwards made by Mr. Chaplin. It, therefore, only remains to explain in how far such was the case *particularly* in regard to the Nimar villages.

140. Before Mr. Elphinstone's lists of Jagheers were framed, one of the precautions taken he thus described to the Governor General (see paragraph 8 of this letter) :—

"The Collectors were then furnished with lists of the personal Jagheers, and requested to ascertain their actual value, and whether they were in force at the breaking out of the war."

It has been already explained in the 21st and 22nd paragraphs of this letter that in the case of the Nimar villages this information was not obtained until *after* the lists had been framed, *after* Mr. Elphinstone had relinquished the

post of Commissioner, and *after* Nugaum and Chugaum had been found abandoned, formally taken possession of, and annexed to the British districts. It was on the 10th December 1819 that Mr. Chaplin *first* (the Honorable Mr. Warden has only quoted Mr. Chaplin's *second* letter) wrote to Sir John Malcolm, and requested the restoration of the villages, should Sir John " concur in the propriety of it." Sir John Malcolm did *not* concur, and it was *this* which led to the discussion (see paragraphs 22 to 43 of this letter), terminating in the decision in 1822, by the Supreme Government, so often referred to.

141. The Honorable Mr. Warden has explained, in paragraphs 36 to 40 of his letter, the grounds upon which he has in the last of these paragraphs stated,—

> " And it is, therefore, the very opposite of the fact as regards this case, that the revised Surinjam lists were sanctioned *generally* by the Honorable the Court of Directors, as alleged in Captain Cowper's 24th paragraph; for this was one of twenty-two declaredly exceptional cases, regarding each of which it had been advanced by me that a wrong decision had been passed; and, as regards this case, no less than twenty-one title-deeds were deliberately considered before the Court released the two estates."

What I considered a *general* sanction I will shortly explain; but before doing so, I would advert to that portion of the Honorable Mr. Warden's letter which I have just quoted, in so far as to point out that I have already shown (see paragraph 87 of this letter) that although this was one of twenty-two declared exceptional cases, it yet differed from the remaining twenty-one on a most material point—possession at the breaking out of the war; that although in each of the twenty-two cases the Agent, Mr. Warden, advanced that a wrong decision had been passed, yet in no one case that I am aware of, excepting in that of the Nimar villages, were the grounds on which the questioned decision had been passed incorrectly stated in the Surinjam lists; and lastly, that although in this case no less than twenty-one title-deeds may have been deliberately considered before the Court released the two estates, still no consideration of any number of title-deeds could have led to the discovery of error committed in respect to possession at the breaking out of the war, and in respect to the two decisions of the Supreme Government passed with reference to such possession, and not with reference to the date of original grant or to anything affected by title-deeds.

142. What I considered a general sanction, and why I considered Poorundhuree's Surinjam to have been included therein, is best explained by quoting from the 12th paragraph of the Honorable Court's despatch, No. 15 of the 22nd May 1849, the following passage, in which their sanction to the revised lists was conveyed.

"We hereby sanction and confirm them (the revised lists), with the exception of such cases as you have kept open for further investigation, and such as form the subject of special orders in subsequent paragraphs of this despatch."

Bearing in mind that the above was the *only* sanction accorded to nine-tenths of the one hundred and fifty-eight Surinjams entered in the lists numbered I. to V., it certainly seems to me that it can only be called a general one, and that if this was a general sanction, Poorundhuree's Surinjam was sanctioned generally, for it was neither left open for further investigation nor especially sanctioned in any subsequent paragraph of the despatch.

143. The 37th, 38th, and 39th paragraphs of the Honorable Mr. Warden's letter describe the orders of the Honorable Court issued in 1842 regarding the *Deccan* portion of Poorundhuree's Surinjam, and the letter of the Agent for Sirdars with which the lists of 1844 were submitted to Government. But I do not perceive how this can affect the question, for the Honorable Court's letter of 1842 did not refer to the Nimar villages at all, and the letter with which the Agent, Mr. Warden, submitted his lists in 1844 was calculated, as hereinbefore (paragraph 78 of this letter) explained, to confirm, but certainly not to rectify the erroneous statement in the lists, that the villages had been retained "by an oversight."

144. In his 40th paragraph the Honorable Mr. Warden, with reference to the Honorable Court's orders of 1842, laying down Rules for the preparation of new Surinjam lists, observes,—

"This order from the Court of Directors was made just one year *after* the resumption of the Nimar estate; and if anybody had then understood there was any distinction to be made between different portions of the Poorundhuree estate, the Nimar estate being the most ancient, my disregard of this distinction would have been observed by the Government of the day, seeing they scrutinised my lists for the long period of fifteen months, and would not have failed to refer to the order of the Government of India, dated the 7th of October 1841, regarding the Hindoostan estate, which order was then recent and in recollection."

I infer from the above that the Honorable Mr. Warden thinks that both the Bombay Government and the Honorable Court of Directors accorded their sanction to the restoration, on hereditary tenure, of the Nimar villages, with the knowledge that they had been retained, *not*, as stated in the Surinjam lists, "by an oversight," but under a decision of the Supreme Government, passed after a *second* inquiry in 1822, and declared final on reconsideration in 1841,—such decision having been arrived at, moreover, on grounds nowhere alluded to in the lists, and not applicable, it is believed, to a single other case which these

lists contained. But to assume this carries with it the supposition that both the Government and the Court not only discovered and acted upon the real state of the case, but did so leaving unnoticed the glaring error in the lists; and this I apprehend to be next to impossible. If a conjecture is to be hazarded, I should think it most probable that the lists were *at last* supposed to contain complete information in each case, and, above all, that they were supposed to represent correctly matters specially alluded to in them (as was the case in regard to the resumption of the Nimar villages), for in the Chief Secretary's letter of the 9th May 1843, No. 994, directing their preparation, the Agent for Sirdars had been specially directed "to state in the clearest manner the data on which your recommendations in each case may be founded." (Paragraph 4 of Government letter.)

145. In the same (the 40th) paragraph, the Honorable Mr. Warden observes that the despatches of the Honorable the Court of Directors "on this subject are drawn up with an accuracy and care which forbids the supposition that the existence of two distinct estates was not observed by them." This has, I believe, never been questioned. There can be no doubt that the existence of two estates was observed, for it was distinctly shown in the lists; but that which the lists did *not* show correctly had reference, not to the *existence* of these estates, but to the *continuance* of one of them under circumstances which in the lists were not only omitted to be stated, but were actually misstated:—the very care and accuracy with which the Honorable Court's despatches were drawn up is sufficient, I think, to indicate that this misstatement was not detected, as otherwise it would have been pointed out.

146. In the same (the 40th) paragraph the following passage occurs:—

> "Besides, I begin by telling the Government that Poorundhuree had availed himself of the opportunity given him to open out his whole case;—'he has produced,' I say 'twenty-one Sunuds, of which seven relate to his estate in Hindoostan.'"

Poorundhuree certainly produced his Sunuds, but failed, apparently, to represent "his whole case"; for in his statement of the 28th July 1843, which was presented to the Agent, Mr. Warden, and which is now before me, not the slightest allusion was made to the decision passed by the Supreme Government in 1841, and which had been communicated (see paragraph 77 of this letter) to him (Poorundhuree) in the Agent's (Mr. Mills) letter of the 14th October 1841, No. 859; neither did the Sunuds which Poorundhuree produced before Mr. Warden contain that under which (see paragraph 41 of his letter) the Nimar villages had been continued to his father, under the special provision that they would be resumed at his (the father's) death.

147. In submitting my report of the 28th February last to Government,

the Inam Commissioner, Mr. Hart, adverting to Mr. Elphinstone's rule that no Surinjam ceded to the British Government by the Treaty of 1817 was to be, as a general rule, restored, observed,—

"This rule would appear to be doubly fatal to any claim by Poorundhuree to any part of his former Surinjam in Nimar, as, besides not having been enjoyed at the breaking out of the war, it would appear to have been included among the cessions made by the Treaty of Poona, the position of which is thus explained by Mr. Elphinstone in the 5th paragraph of his despatch No. 78 dated 18th June 1818, to the Governor General :—

"'The Peshwa's whole revenue, before the last Treaty, amounted to Rs. 2,15,00,000, of which Rs. 95,00,000 was paid into the treasury, and Rs. 1,20,00,000 allotted to Jagheerdars; of this last sum Rs. 26,50,000 was produced by land in Hindoostan, which had greatly declined in value, and from which the Peshwa derived no benefit whatever.

"'This last Rs. 26,50,000, with Rs. 32,00,000 of the amount payable into the treasury, was ceded by the Treaty of Poona, concluded in June last.'"

The Honorable Mr. Warden has in his 42nd and 43rd paragraphs explained that "Mr. Hart's deductions are drawn from a geographical error," inasmuch as Poorundhuree's Nimar villages are to the *south* of the river Nerbudda, whereas the Treaty of 1817 affected only possessions to the *north* of that river. Mr. Hart is now in England, and I can only submit what I conceive to be the most probable solution of the difficulty. In the first place, I would observe, that on the question of geography (paragraph 43 of the Honorable Mr. Warden's letter) Mr. Hart never reported at all (see Mr. Hart's report quoted in paragraph 69 of this letter); had he done so, or had he even been aware that a question of geography was involved, I feel assured that his report would have been an accurate one; but, unless I am greatly mistaken, it will be found that he considered the Hindoostan portion of Poorunduree's Surinjam to have formed part of the cessions of 1817, not after a perusal of Article XIV. of the Treaty, which defines the Nerbudda as the limit, and to which I do not believe that he referred, but on the strength of that portion of Mr. Elphinstone's letter which he quoted, and which states the *whole* of the "land in Hindoostan" to have been ceded. But however this may have been, it does not seem a matter on which I need further remark, as the reply (see paragraph 71 of this letter), dated the 22nd July last, of the Government of India appears clearly to show that the resumption of the Nimar villages has now been ordered not on any new grounds, but because, under the circumstances which led to the decisions of 1822 and 1841, they ought never to have been restored at all.

148. At the close of his 43rd paragraph, the Honorable Mr. Warden observes, with reference to this Surinjam, that "by entering it on the Surinjam lists Mr. Elphinstone especially directed it to be restored." In the first place, I would solicit reference to the 15th paragraph of this letter, in which I have explained that Mr. Elphinstone's lists were neither perfectly correct, nor an exact statement of what was eventually restored to each individual, and, besides this, I have pointed out (see paragraph 22 of this letter) that the condition of this Surinjam at the breaking out of the war was not ascertained until *after* the lists had been sent to Calcutta. This alone would, I think, suffice to show that its mere entry in these lists could never have been intended as a special direction that it should be restored; but there is, in addition, the conclusive evidence afforded by Mr. Chaplin's subsequent inquiry, the result of which was reported in October 1822 to the Bombay Government, of which Mr. Elphinstone was the head, and which inquiry I have shown in my 138th paragraph to have not only embraced a thorough examination of the whole lists, but to have resulted in the withholding altogether of thirty of the Surinjams entered in them. Surely, this proves unquestionably that an entry in the lists neither implied nor conferred exemption from inquiry, which was, as stated in my previous report, No. 102 of the 28th February 1853, paragraph 19, "afterwards made by Mr. Chaplin."

149. In his 44th paragraph, the Honorable Mr. Warden has referred to the villages in the territory ceded to the Nizam in the following terms:—

"44. It will be observed that Mr. Mills, in his Surinjam lists, says of Vittulrao Poorundhuree,—'He has lately, also, been deprived by the Nizam, in spite of urgent remonstrances of the Bombay Government, of a Surinjam yielding Rs. 11,000'; and I am informed by Raojee Pendsay, the hereditary Duftur Kárkoon alluded to in paragraph 29, that when Poorundhuree pressed this loss on Mr. Chaplin's attention, he always said, 'I have given you your Nimar Surinjam, don't think of that loss any more'; and if this be true,—which from the high character and position of my informant I have no doubt it is,—the Nimar estate was held on far stronger ground than even that in the Deccan."

And again, at the close of his 46th paragraph, has, on this statement of the Duftur Karkoon, designated the Nimar villages as "taken as compensation for a Surinjam of more than three times their value, which Poorundhuree held in the Nizam's country, and which that prince would not surrender." This the Honorable Mr. Warden considers "a very strong point, because unknown to the Governor General in Council who passed the original decision, and to his Lordship in Council who has now directed the resumption of the villages."

The improbability of the hereditary Duftur Karkoon's statement is evident

from nearly every circumstance which I find recorded in connection with this case, but it admits, I believe, of proof that it cannot *possibly* be a correct one. Before, however, going further, I must explain that the Surinjam in the Nizam's country consisted, according to Mr. McDonnell's memorandum, of two portions, one of which, of the value of Rs. 9,531, was neither included in Mr. Elphinstone's order of release of the15th October 1819 (see paragraphs 14 and 20 of this letter), nor included in his lists submitted to the Supreme Government; the other, of the value of Rs. 1,100, was both included in the order of release and entered in the lists, because it was situated in territory then British, though shortly afterwards ceded to the Nizam. (See paragraph 45 of this letter.)

150. The lastmentioned Surinjam, of the value of Rs. 1,100, is *now held* by Poorundhuree, so that *it* cannot be the holding as compensation for which he is said to be entitled to the Nimar villages.

151. And the proof in regard to the other Surinjam, valued at Rs. 9,531, though of a different nature, seems to me to be just as clear; it is,—

1st.—That Mr. Chaplin wrote his *last* letter (see paragraph 30 of this letter) to Sir John Malcolm regarding the restoration of the Nimar villages on the *8th April* 1820, and they were restored accordingly; whereas *three years afterwards* Mr. Chaplin urged (in the correspondence referred to in the 2nd paragraph of Captain Cowper's report No. 651 of the 22nd December 1852) the restoration of the Surinjam of Rs. 9,531; so that he could not have granted in 1820 compensation for that which he wished to restore in 1823.

2nd.—The decision of the Supreme Government in 1822 was passed, and the restoration of the Nimar villages, under the Sunud which specially provided for their resumption at the incumbent's death, ordered *at Calcutta*, on grounds wholly unconnected with any arrangements made by Mr. Chaplin, and without reference to any such arrangements.

3rd.—That even supposing Mr. Chaplin to have made the arrangement which it has been shown he neither did nor could make, his act would have been an unauthorised one, as he possessed no independent authority and had been so informed. (Paragraphs 5 and 6 of letter from the Supreme to the Bombay Government, in the Political Department, and dated the 15th July 1820, a copy of which was forwarded to Mr. Chaplin with the letter No. 1291 of the 23rd August following, from the Chief Secretary at Bombay.)

4th.—That the Surinjam valued at Rs. 9,531, in regard to which the Agent, Mr. Mills, in 1840 stated that Poorundhuree had "lately also been deprived by the Nizam, in spite of urgent remonstrances of the Bombay Government, of a Surinjam yielding Rs. 11,000," was one of those in

regard to which the Supreme Government on the 25th February 1825, after declaring that no claim could be fairly made upon the Nizam, observed,—"Neither does any obligation appear to attach to the Honorable Company to provide for the Chouth Jagheerdars, who have suffered by the events of the war in common with their late sovereign Bajee Rao."

5th,—That not only has this alleged fact of the Nimar villages having been given in compensation never during a period of thirty years been before brought forward *by any one*, but Poorundhuree has, at dates *subsequent* to Mr. Chaplin's departure from India, frequently requested* the restoration of the very Surinjam for which compensation is now said to have been granted.

152. The facts mentioned in the last three paragraphs seem to point out the exceeding caution with which oral evidence like that of Raojee Pendsay must be accepted. This is a point on which I have before had occasion to differ from the Honorable Mr. Warden, and as it is one of no little importance, I will here extract what I wrote on the 2nd May last (No. 163) on the subject :—

"99. The want of the aid of the hereditary Duftur Karkoons, which Mr. Warden also supposes to operate prejudicially, does not, I am happy to say, exist; one of the best of these Karkoons (Gunesh Krishna Pendsay, commonly called Raojee Pendsay, about seventy years of age), whose father and grandfather spent their lives in the Duftur (from about A. D. 1730), is on the strength of the Inam Commission establishment, and has assisted me from the commencement; but I would here record an opinion which I lately took occasion to express on this subject. The following is an extract from my report, No. 137 of the 19th March last, on a claim to a large pension in regard to which this very hereditary Karkoon afforded information which, though accepted at the time (when the revised pension lists were framed) as correct, now turns out otherwise :—

"'Raojee Pendsay is an old hereditary Duftur Karkoon, with a great knowledge of all matters connected with the revenue administration of the last Peshwa, and possessed of a most wonderful memory. Under *any* circumstances, however, I should for obvious reasons receive his evidence in matters of this sort with extreme caution, for though sometimes of much value, it is peculiarly requisite that, as a general rule, it should be tested and supported by other and independent testimony, and especially by the documentary proof afforded by the State records.'"

153. The Honorable Mr. Warden's 46th paragraph is a recapitulation of that to which I have for the most part hereinbefore *specifically* alluded, and to

* The Deputy Agent for Sirdars, Mr. Wardon, reported on one of these requests, which was referred to him with Mr. Chief Secretary Norris' letter No. 168 of the 5th October 1832.

so much I need not, therefore, again refer; but there is one sentence which, as it stands, seems to me calculated to convey such a very erroneous impression that explanation seems necessary. It is stated, with reference to the decision passed by the Supreme Government in 1841, and recorded, as I have shown, both in the English and Murathee Office of the Agent, "that no wilful suppression of it is, however, to be suspected, as the merits of the claim on the Nimar lands were fully discussed in consequence of a specific reference from the Court of Directors."

I would explain,—

1st.—That the specific reference from the Honorable Court referred *only* to the Deccan and *not* the Nimar Surinjam.

2nd.—That "the claim on the Nimar lands" was *never* on one essential point,—the decision of the Supreme Government, and the grounds on which that decision had been passed,—discussed at all; on the contrary, the Honorable Court were erroneously informed that the lands had been resumed "by an oversight."

3rd.—That it is, therefore, *because* the merits of the claim on the Nimar lands were *not* fully discussed, that, under the circumstances which are shown to have existed, wilful suppression of the real facts *is* to be suspected.

154. The 47th paragraph of the Honorable Mr. Warden's letter is below extracted, as it certainly requires explanation:—

"47. It is true that I answered this special and particular reference to Poorundhuree's case in a letter on the whole of the Surinjams, but, as I have already shown you, so far from this case being treated "generally," it was handled by me, and afterwards by Mr. Brown, individually and particularly, it being one of two instances only in which the Sunuds themselves were translated and sent to England in support of the decisions, and this because the Honorable Court had singled out the man's case, and ordered a reconsideration of it."

I would submit for consideration,—

1st.—That "the Honorable Court had singled out" the Deccan Surinjam only. (See paragraph 57 of this letter.)

2nd.—That the Agent Mr. Warden's "letter on the whole of the Surinjams" referred to "twenty-one Sunuds or title-deeds, of which fourteen relate to his Surinjam in Poona and Ahmednuggur, and seven to his estate in Hindoostan." (See paragraph 61 of ditto.)

3rd.—That the Sunuds which, on the revision of Mr. Warden's lists by Mr. Brown, "were translated and sent to England in support of the decision," were *not* those relating to the Deccan Surinjam regarding which *alone* the Court had written, but *only* those relating to the Nimar estate erro-

neously stated in the lists to have been resumed "by an oversight." (See paragraph 64 of this letter.)

4*th*.—That had translations of the Sunuds relating to the Deccan Surinjam been sent to England, the apparently gross fraud which was committed, and which I have reported in my letter No. 510 of the 10th instant, would have been either not attempted or at once detected, and it would have been then seen that some of the Sunuds produced by the Surinjamdar neither, as stated to Government, were dated before 1751 nor referred to older grants, but were Sunuds issued seven years subsequently to 1751 and having no reference whatever to any previous holding or grant.

155. Referring to an expression used by the Inam Commissioner, Mr. Hart, in submitting my report of the 28th February last,—that the Nimar Surinjam ought, under the deliberate and final orders of the Government of India, to have lapsed to Government on the death of the last incumbent in 1840,—the Honorable Mr. Warden observes in his 48th paragraph,—

"The orders of the Government of India in regard to Nimar were no more final than those of the Bombay Government in regard to the Deccan; and that he so considered the matter was evinced by the alacrity with which the villages were restored when the Governor General in Council heard of the final orders of the Court of Directors."

That Mr. Hart, when he designated as final the orders of the Supreme Government, lost sight of the fact that all such orders are subject to review and reversal in England, I cannot suppose; but he most probably considered final orders based, as those in question were, upon a principle (*i. e.* non-recognition of any right of possession not in force at the breaking out of the war) which had received the unqualified sanction of the Honorable Court, and to question which would have been to question Mr. Elphinstone's whole settlement. Such I conceive to have been Mr. Hart's meaning; and as to the "alacrity with which the villages were restored when the Governor General in Council heard of the final orders of the Court of Directors," it has now been proved (see paragraph 71 of this letter) that the orders of the Honorable Court would not have been carried out at all, had the Supreme Government then known them to have been issued on an incorrect statement of facts.

156. To the Honorable Mr. Warden's 49th paragraph, in so far as it is a recapitulation, I need not refer; but I would submit that the officer who is therein designated "a Colonel Smith," may be fairly presumed from his rank to have been an officer of greater experience than Lieutenant Douglas, before whom, on a *second* inquiry, that evidence was given which the Supreme Government rejected, and for the rejection of which the strongest reasons appear

to have existed (see paragraphs 100 to 104 of this letter), but which the Honorable Mr. Warden considers, nevertheless, "the *best* evidence as to possession."

157. I would also briefly refer to another portion of the same (the 49th) paragraph, in which it is stated that Colonel Smith—

> "Added, on hearsay, two *statements*, in respect to both of which he was proved to be quite wrong,—viz. that the other village was a *service* Jagheer, and had been abandoned by Poorundhuree's manager, a personal and local inquiry having two years afterwards established that Colonel Smith had been misinformed; that the tenure was personal, and not for service; the possession of Poorundhuree from time immemorial having been only twice interrupted, and that by force and usurpation; and the last dispossession having ceased six years before the British accession."

The incumbent at the introduction of the British Government (Vittulrao Mulhar) certainly held no military Surinjam, and this was at once pointed out (see paragraph 30 of this letter) by Mr. Chaplin and admitted, so that no harm resulted from the mistake, which probably originated in the fact that although Vittul Mulhar never served, his uncle and cousin both had done so, and it was not, therefore, surprising to find persons at a distance stating with reference to the whole family that which was applicable only to certain members of it.

158. I am not able to understand the distinction which the Honorable Mr. Warden has drawn between the two inquiries, for admitting Colonel Smith's information to have been received from others, and, consequently, hearsay, I cannot perceive how, by any possibility, Lieutenant Douglas could have had any advantage in this respect, when inquiring two and a half years *later* than Colonel Smith regarding *not the then* state of things, but the state of things which had existed from five to twenty years previously.

159. The Honorable Mr. Warden's 50th paragraph is as follows:—

> "I, therefore, close this (I am afraid) tedious letter by a repetition of the opinion which led to the whole discussion,—'By an oversight'—an oversight of the principles laid down by Mr. Elphinstone in A. D. 1838 and sanctioned by the home authorities—'this portion of Poorundhuree's Surinjam was retained by Government when the remainder was restored to the present incumbent.'"

Without further explanation I cannot assume that this is intended to explain that the entry in the Surinjam lists of 1844 and 1847 had reference only to the principles laid down by Mr. Elphinstone in 1838, and that this, though not expressed, was left to be understood; but I must point out that the deci-

sion of the Supreme Government, confirmed on reconsideration in 1841, *could** not have been passed by "an oversight of the principles laid down by Mr. Elphinstone in 1838, and sanctioned by the home authorities," for all this was brought to their notice, the Agent, Mr. Mills, having thus concluded his letter No. 101 of the 14th April 1841 (see paragraph 51 of this letter):—

"In my letter to Government handing on the copy of the Governor General's letter, I stated that it did not appear that petitioner had, under the decision of the Governor General in Council, any claims to the villages he alluded to; but, under the circumstances above stated, I am of opinion that Chimnajee Rao Poorundhuree has, under the Rules subsequently framed for Surinjam estates, a just claim to the villages in question; and should Government concur in the view of the question which I have taken, I would respectfully request that the Supreme Government be solicited to advise the Resident at Indore to continue the villages to Chimnajee Rao Vittul Poorundhuree, according to Mr. Marriott's Rules sanctioned by Government, and until the final order of the Honorable the Court of Directors is received to the subsequent correspondence and the Rules submitted by me respecting Surinjam estates."

This letter was forwarded (see paragraph 53 of this letter) to the Government of India, who, however, saw nothing therein to affect their former decision, based as it had been on a fundamental rule, originally laid down and sanctioned (see paragraphs 6 to 9 of this letter), that no right of possession not in force at the breaking out of the war should be recognised, and *which rule was not even alluded to, much less cancelled*, when in 1838 the principles laid down by Mr. Elphinstone were sanctioned by the home authorities as those principles had reference *only* to the date of original grant—*i. e.* the antiquity of the Surinjam.

160. There is yet one fact connected with this Surinjam which I did not report in my letter of the 28th February last, because I was not then aware of it, having looked merely to the erroneous entry in the Surinjam lists regarding the resumption;—it is that the Mokassa Umuls of four out of the five villages entered in the Surinjam lists of 1844 and 1847 were never restored to the late Vittulrao Mulhar Poorundhuree at all; have never since the introduction of the British Government been in his or in his son's possession; and could not, consequently, have been resumed. (See paragraphs 44 and 63 of this letter.)

161. In concluding this letter, I would briefly refer to the circumstances

* The principles laid down by Mr. Elphinstone in 1838 and sanctioned by the home authorities were explained to the *Supreme Government* in the Honorable Court's despatch No. 9 of the 7th February 1838.

in which this discussion has originated, and a knowledge of which must go far towards explaining much that I have not felt myself authorised to remark upon. The discovery of serious errors in the Surinjam list led Government, on the 24th September 1852, to direct (Chief Secretary's letter No. 4175, paragraph 4) further inquiry, and to order (Chief Secretary's letter No. 4249) on the 1st October following that the subsidiary lists of pensions should likewise be tested. The task devolved upon me, and in its execution I have up to this date submitted the reports noted in the margin, disclosing errors in the above lists affecting the public revenue to the extent of more than *eighty thousand rupees*, the greater portion of which sum would, according to the lists, be *permanently alienated*, the estates or pensions being declared hereditary. This inquiry is in its very nature one of considerable difficulty and great anxiety, which various causes have combined to increase, but which I have hitherto looked upon as merely those obstacles which every officer entrusted with a duty of importance must expect to meet with and is expected to overcome. The opinions expressed and the statements contained in the letter of the Honorable Mr. Warden cannot, however, be thus viewed, and I offer my respectful thanks for the opportunity which has been afforded to me of submitting an explanation, which I have endeavoured to make a complete one, and which I earnestly hope will meet with approval.

No. 651,	22nd	December	1852.
96,	25th	February	1853.
102,	28th	ditto	ditto.
129,	15th	March	ditto.
137,	19th	ditto	ditto.
163,	2nd	May	ditto.
493,	19th	October	ditto.
497,	22nd	ditto	ditto.
499,	26th	ditto	ditto.
510,	10th	November	ditto.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 2786.

From C. J. Manson, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government.

Dated Poona, 3rd December 1853.

Sir,—I have the honour to acknowledge the receipt of your letter No. 4185 dated 27th September 1853, giving cover to copy of one from the Honorable Mr. Warden, late Agent for Sirdars, dated the 9th idem, regarding the villages and Umuls in Nimar held by Chimnajee Vittul Poorundhuree; and, in reply, beg to hand up a report in original by my Assistant, Captain Cowper, No. 535 dated the 30th November 1853.

2. I will briefly call to mind the facts of the case under discussion, before noticing the Honorable Mr. Warden's letter.

3. It was one of the fundamental Rules of the Honorable Mr. Elphinstone, approved and sanctioned by the Government of India, that "no Jagheer not actually enjoyed up to the war was to be restored, unless specially directed so to be." Thus, proof of actual enjoyment was an ingredient necessary in every investigation into a Jagheer holding. If it were found that a Jagheer had been resumed, or was under attachment at the breaking out of the war; or if a Jagheer had been usurped by an invader, and actual possession lost in that way; or if a Jagheer had been abandoned; or if for any other cause actual enjoyment did not exist; then, it "was not to be restored unless specially directed so to be."

4. In Poorundhuree's case the Nimar holdings had been abandoned, and the Government of India, after a full inquiry, sanctioned in 1822, as an act of grace, the restoration of these holdings for the lifetime of Vittul Mulhar.

5. He died in 1840, and his son asked for permission to succeed, but his request was deliberately negatived by the same high authority in 1841.

6. When Mr. Warden, late Agent for Sirdars, revised the Surinjam lists in 1844, he entered the Nimar holdings, giving as a reason in the column of "Remarks" in which Government expected of him to state in the clearest manner the data on which his recommendations in each case might be founded, that these holdings had been retained by Government "by an oversight."

7. Mr. Warden made no allusion to the decision of 1841, and there is reason for believing that a fraud was practised on him by the son, Chimnajee Vittul Poorundhuree, who had been informed of the decision of 1841, but said nothing about it to Mr. Warden; and also that the subordinates in the Agent's Office assisted in the deceit.

8. Captain Cowper, Assistant Inam Commissioner, detected the error in the lists, and the result of his report has been that the Government of India have for a third time declared the grant to Vittul Mulhar a life-grant only.

9. But Mr. Warden was called upon for an explanation of the error, and I now proceed to notice the Honorable Mr. Warden's letter forwarded to me with your letter under acknowledgment.

10. I, of course, placed this letter in the hands of Captain Cowper as quickly as possible, feeling exceedingly anxious about the grave imputations cast both upon him and upon Mr. Hart, my predecessor, that they had knowingly withheld from the Government information not only affecting the case of a claimant, but affording the best evidence in that claimant's favour.

11. It is nearly nine weeks since I called for Captain Cowper's explanation, and I should have noticed the circumstance to Government long ago,

had I not been fully satisfied from my communications with Captain Cowper that the charges were, in effect, wholly without foundation.

12. The length of time during which Captain Cowper's attention has been necessarily occupied, to the exclusion of other business, in framing a complete report, is in itself an evil to be deprecated. In the present case, however, I have the satisfaction of believing that Government will be as convinced as I am that the merits of the case have not been altered in the least by the Honorable Mr. Warden's letter. The case in 1853 is *precisely* the same as it stood in 1822 ; no new facts have been adduced in evidence.

13. But much matter has been introduced by the Honorable Mr. Warden which, I respectfully urge, has no proper bearing upon the case, and which, if left unreplied to, would have necessarily led to the belief that injustice had been unintentionally done to Poorundhuree by the Government of India. Captain Cowper has, I submit, met each assertion fully and fairly, and shown in a conclusive manner either that it is irrelevant to the point at issue, or else incorrect in substance or otherwise inapplicable.

14. With these remarks I beg to leave Captain Cowper's clear and convincing report in the hands of Government, earnestly soliciting their careful attention to each paragraph, and particularly to the last.

I have the honour to be, &c.

(Signed) C. J. Manson,
Inam Commissioner.

No. 5519 of 1853.

Political Department.

From A. Malet, Esq.,
Chief Secretary to Government, Bombay,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated 22nd December 1853.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letters Nos. 2786 and 2787, both dated the 3rd instant, relative to the case of Chimnajee Vittul Poorundhuree.

2. In reply, I am desired to inform you that your Assistant Captain Cowper's letter, accompanying your communication No. 2786, is under consideration, and in the meanwhile to request that you will state, for the information of Government, the authority on which you state that if a Jagheer had been usurped by an invader and actual possession lost in that way, it was not to be restored, unless specially directed so to be.

3. I am also desired to request that you will state the "reason" you have for believing that the subordinates in the Agent's Office assisted in a fraud practised on the late Agent by the son of Vittul Mulhar Poorundhuree, and that you will specify the exact nature of the fraud and the overt acts of it which have come to your knowledge.

I have the honour to be, &c.

(Signed) A. MALET,
Chief Secretary to Government.

Bombay Castle, 22nd December 1853.

No. 2860.

From C. J. MANSON, Esq.,
Inam Commissioner,

To A. MALET, Esq.,
Chief Secretary to Government, Bombay.

Dated Poona, 27th December 1853.

SIR,—I have the honour to acknowledge the receipt of your letter No. 5519 dated 22nd December 1853, requesting me to submit the following information in connection with my report No. 2786 of the 3rd instant:—

1st.—To state the authority on which I reported that at the conquest of the Deccan "if a Jagheer had been usurped by an invader and actual possession lost in that way, it was not to be restored, unless specially directed so to be."

2nd.—To state the reason I have for believing that the subordinates in the Agent's Office assisted in a fraud practised on the late Agent by the son of Vittul Mulhar Poorundhuree, and to specify the exact nature of the fraud, and the overt acts of it which have come to my knowledge.

2. With regard to the first point, I beg to explain that the authority on which I afforded the above illustration was that of Mr. Elphinstone's own Rule, to which there were *no exceptions;* therefore, the illustration of an usurped Jagheer cannot be considered as excluded from, but, on the contrary, as falling clearly within its terms. The Rule appears to me most explicit:—

"No Jagheer not actually enjoyed up to the war (was) to be restored, unless specially directed so to be."

The Collectors were to inquire whether the Jagheer was "in force."

3. The Rule as it originally stood when applied to Inams, and before it was made applicable to Jagheers, was, if possible, plainer still,—

"No right to possession is ever intended to be recognised that was not in force at the breaking out of the present war."

The word "*intended*" seems to imply that the question of whether or not mere right to possession should be a sufficient title against the British Government had been fully deliberated upon by Mr. Elphinstone, and the Rule promulgated accordingly.

4. But as, perhaps, the best proof of the intention of the framer of a Rule is that which is afforded by an example of the manner in which the framer puts his own Rule into force, I beg to refer Government to paragraph 120 of Captain Cowper's report, which gives an example of Sindia usurping the Wamoree Jagheerdar's authority in the village of Jowkerreh, and retaining possession of the village in defiance of the Peshwa's orders. Mr. Elphinstone was made acquainted with the facts, but instead of "restoring" the village to the Jagheerdar who had "a right to possession," but had not been able to keep it, he left the village with Sindia.

5. I trust that the above explanation will satisfy Government that I placed a correct interpretation on Mr. Elphinstone's Rule.

6. I now come to the fraud which seems to me to have been practised both by Chimnajee Vittul Poorundhuree and by the Agent's establishment.

7. Poorundhuree was supposed by the Agent, Mr. Warden, to have stated his *whole case* (paragraph 40 of the Honorable Mr. Warden's letter); but that he did not do so has been pointed out in the 146th paragraph of Captain Cowper's report in the following words :—

"Poorundhuree certainly produced his Sunuds, but failed, apparently, to represent his 'whole case'; for in his statement of the 28th July 1843, which was presented to the Agent, Mr. Warden, and which is now before me, not the slightest allusion was made to the decision passed by the Supreme Government in 1841, and which had been communicated to him (Poorundhuree) in the Agent's (Mr. Mills) letter of the 14th October 1841, No. 859; neither did the Sunuds which Poorundhuree produced before Mr. Warden contain that under which the Nimar villages had been continued to his father, under the special provision that they would be resumed at his (the father's) death."

8. That this suppression by Poorundhuree of the *only facts* affecting the restoration of the Nimar villages—for their date of grant had never been called in question, and had been all along admitted—was connived at by the Agent's establishment there seems to me reason for believing,—

1*st.*—Because the head clerk in the Agent's English Office, Anniaba, "who (to use Mr. Warden's own words) had assisted in the preparation of every

list of every kind of alienation from the time of Mr. Elphinstone, and who has a most wonderful memory" (paragraph 79 of Captain Cowper's report) failed to lay the real state of the Poorundhuree's case before his superior, who, after he had finished the lists, had sent them to the head clerk, "with directions to revise them and point out any errors that might occur."

2nd.—Because, even supposing the head clerk to have forgotten the discussions which were placed on record in 1822, and the subsequent issue of the Sunud to Poorundhuree which was also recorded, it does not seem possible that he could have thus overlooked the revival of those discussions which had taken place scarcely twenty months previous to the call made upon Poorundhuree by Mr. Warden, and which were then on record in the office of which he (Anniaba) was the head and responsible clerk.

3rd.—Because the clerks in the Agent's Murathee Office must have allowed the statement made by Poorundhuree on the 28th July 1843 to be rendered to Mr. Warden, without bringing to his notice the letter which Mr. Mills had written to Poorundhuree on the 14th October 1841.

9. The above are the grounds upon which I expressed an opinion that the Agent's subordinates must have assisted in the suppression by Poorundhuree of that which it was the most necessary to place before the Agent, and by which means I consider the fraud on the public revenue to have been successfully perpetrated. To suppose that all this could have arisen through oversight or neglect is to suppose a state of inefficiency which I cannot believe to have existed, and in the case of the head clerk it seems certain that it did not.

10. While, however, the above were the only facts having specific reference to Poorundhuree's case, I could not, in forming an opinion, ignore the existence of others materially affecting the Agent's establishment. I was not reporting upon the only case of the kind which had come to my knowledge, but I had just before brought to the notice of Government certain cases the features of which seemed much more objectionable, and on a deliberate review of the whole of these circumstances I felt that I could express no other opinion than the one I did. Captain Cowper had, in the 81st paragraph of his report (below transcribed), arrived at a similar conclusion, in which I entirely agreed with him:—

"Was this the only case in which such things had occurred, I should hesitate to express the unfavourable opinion which I have done; but the very reverse is the fact; I have lately submitted the reports specified in the margin on cases in which there seems every reason to believe that errors of a much graver nature have been committed, and I would solicit a perusal of these letters, especially of that last enume-

No. 327, 21st September 1852.
163, 2nd May 1853.
493, 19th October 1853.
510, 10th November 1853.

These reports were submitted with the Inam Commissioner's letters—
No. 1105, 22nd September 1852.
1991, 20th May 1853.
2645, 19th October 1853.
2722, 12th November 1853.

rated, which shows the Honorable Court and the Government to have passed a decision regarding the Deccan portion of *this very Surinjam* (Chimnajee Vittul Poorundhuree's) on information still more incorrect than that which is now under discussion."

11. No other acts of the Agent's establishment have come to my knowledge in connection with this subject.

I have the honour to be, &c.

(Signed) C. J. MANSON,
Inam Commissioner.

P. S.—I beg to acknowledge the receipt of your letter No. 5521 dated 23rd instant, which has only been delivered here to-day. I do not think it worth while delaying my present letter in order to furnish the additional information called for, which shall be done on my arrival at Sattara, whither my records have been sent.

(Signed) C. J. MANSON,
Inam Commissioner.

No. 566 OF 1853.

From Captain T. A. COWPER,
Assistant Inam Commissioner,

To C. J. MANSON, Esq.,
Inam Commissioner.

Dated Poona, 31st December 1853.

SIR,—I have this day become acquainted with a report made to Government by the Honorable Mr. Warden when Agent for Sirdars, a portion of which bears so materially on the question discussed in the 121st paragraph of my letter No. 535 of the 30th ultimo, that I lose no time in submitting it for your consideration, for communication to Government, should you deem it advisable.

2. Referring to certain villages in Khandeish claimed in Inam by the Kuddum Banday family, the Agent, Mr. Warden, expressed the following opinion in the 12th paragraph of his report No. 128 of the 26th July 1845 :—

" 12. Now it is distinctly stated by the Government in their tabular statement derived from the memorandum of the Dufturdar while the Poona Duftur was yet complete, that the Peshwa issued an order in Fuslee 1226 (A. D. 1816) for the resumption of Kopurlee and Tannah, and that Runalé was resumed by Trimbukjee Denglia in Fuslee 1223 (A. D. 1813), and the petitioners ascribe the resumption of the three to this Minister, but deny that he had any order for what he did ; but it was in A. D. 1813 that this person ' supplanted Mankeshwur in his master's councils' (Grant Duff), and

by 1815 he had become 'the chief director of the Peshwa's councils, and was appointed his Minister in the transaction of affairs with the British Government' (Grant Duff); and it is idle, therefore, to draw distinctions between the acts of such a Minister of such a Government and the acts of the Peshwa himself, who personally took little or no part at this time in the details of administration."

3. It will be seen that this opinion, which the Honorable Mr. Warden expressed in 1845, agrees exactly with that lately submitted by me in the concluding portion of paragraph 121 of my report of the 30th November 1853, No. 535, below quoted:—

"That the *character* of the Agents of the Peshwa by whom resumptions were ordered or carried into effect does not appear to have been considered by Mr. Elphinstone as affecting the validity of resumptions, a very large proportion of which, during the reign of the last Peshwa, were made not under his (Bajee Rao's) own Sunud, but under the orders of his Agent, of whom Trimbukjee Denglia was one of the most trusted, although one of the most unscrupulous."

I have the honour to be, &c.

(Signed) T. A. COWPER, Captain,
Assistant Inam Commissioner.

No. 2883.

POLITICAL DEPARTMENT.

From C. J. MANSON, Esq.,
Inam Commissioner,
To A. MALET, Esq.,
Chief Secretary to Government.

Dated Mussoor, 6th January 1854.

SIR,—I have the honour to submit an original letter, No. 566 dated 31st December 1853, from my Assistant, Captain Cowper, affording further information in connection with paragraph 121 of his letter, No. 535 of the 30th November 1853, on the case of Chimnajee Vittul Poorundhuree.

2. Captain Cowper requests that I will submit his letter to Government, should I deem it advisable; and although, in my humble judgment, the particular point noticed in this letter which was raised by the Honorable Mr. Warden, and replied to by Captain Cowper, is irrelevant to the question as to whether or not a right decision has been come to in the case of the above-named Sirdar, yet as in his advocacy of Poorundhuree's claims the Honorable Mr. Warden has given an opinion which is directly opposed to one submitted

by him when Agent for Sirdars, this fact must strengthen Captain Cowper's position, and, therefore, I determine on forwarding his letter.

3. In the case of Kuddum Banday, the Honorable Mr. Warden gave his opinion that it would be idle to draw distinctions between the acts of Trimbukjee Denglia, the Peshwa's Minister, after A. D. 1815, and the acts of the Peshwa himself; and it would seem that the Government of 1845, in reviewing the case, coincided in that opinion :—

"2. The Honorable the Governor in Council thinks that Mr. Warden's letter contains a very fair exposition of this case, and justifies the decision come to by Government in 1827, which limited the enjoyment by the Banday family of the three villages of Kopurlee, Tannah, and Runalé, to a life-tenure.

"3. Any doubt which could have remained would be removed by Mr. Warden's postscript, which furnished copies and translates of the Peshwa's orders resuming these villages in the years 1813 and 1816." (Government letter to the Collector of Khandeish, No. 4024 dated 15th August 1845.)

4. The expression "any doubt which could have remained" apparently shows that the Government of 1845 considered that some doubt might have remained on this point,—viz. whether Trimbukjee's acts should be viewed as those of the Peshwa; but I think, from the decisive wording of paragraph 3 of the Government letter, it is a question whether, if Mr. Warden had not afterwards discovered the Peshwa's orders, as stated in his postscript, the Government would have hesitated to act on that gentleman's opinion as set forth in the body of his letter.

5. The above remarks and accompanying letter might satisfy Government that now to speak of Poorundhuree as the victim of Trimbukjee Denglia, "the Minister whose hands were stained by the blood of an ambassador to his master's court," is to apply a fact which should weigh no more in Poorundhuree's favour than it did in that of Kuddum Banday in 1845.

6. Should Government, however, have determined on reconsidering their former proceedings in this case, I venture to submit that the case of Kuddum Banday should be referred to, as some discussions on the above point may have been placed on the Government records which were not of course communicated to the Collector of Khandeish, and the views of the Government of 1845 might thus be fully ascertained.

I have the honour to be, &c.

(Signed) C. J. MANSON,
Inam Commissioner.

No. 523 of 1854.

Political Department.

From Captain T. A. Cowper,
Inam Commissioner,

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Poona, 7th October 1854.

Paragraphs 25 to 29 of Captain Cowper's report No. 31 of the 18th January 1854, submitted by the Inam Commissioner on the 2nd February 1854, No. 2966.
Paragraphs 116 to 120 of ditto ditto No. 535 of the 30th November 1853, submitted by the Inam Commissioner on the 3rd December 1853, No. 2786.

Sir,—With reference to the previous reports of mine which are enumerated in the margin, I have the honour to submit for the consideration of Government the following transcript of one dated the 30th July 1844, from the Agent for Sirdars, Mr. Warden, on a claim preferred by Rughoonath Rao Nimbajee to hold in Inam certain Umuls of the village of Rajapoor, in the Dindoree Purguna of the Nassick Sub-Collectorate, and which claim the Agent pronounced inadmissible "on the principles which regulated the settlement of the Deccan" (*i. e. non-possession* at the breaking out of the war with the Peshwa):—

"The records of the Poona Duftur show that in A. D. 1802 the village of Rajapoor, Purguna Dindoree, with the exception of Surdeshmookee and Mokassa, was granted to petitioner's father as Surinjam; that in A. D. 1809 the Surdeshmookee and Mokassa, as well as the Babtee of the village, were granted to petitioner's father as Inam by the Punt Prithee Nidhee of Kurrar; that in 1813 the Mokassa was in the hands of the Government; and that on the accession of the British Government petitioner's father acknowledged that the three items of revenue mentioned had not been in his possession for five years, and, consequently, on the principles which regulated the settlement of the Deccan, that he had no right to them.

"Moreover, he only held them as Inam of the Prithee Nidhee, whose own tenure was no more than Surinjam, and who, consequently, was not authorised to alienate them as Inam."

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner.

No. 2585 of 1856.

POLITICAL DEPARTMENT.

From H. L. ANDERSON, Esq.,
Secretary to Government, Bombay,

To Captain T. A. COWPER,
Special Commissioner in charge Alienation Department.

Dated 20*th May* 1856.

SIR,—Referring to Mr. Manson's report, No. 2860 dated the 27th December 1853, upon the Surinjam of Chimnajee Vittul Poorundhuree, I am directed by the Right Honorable the Governor in Council to enclose for your information copy of a resolution passed thereon by Government under date the 9th instant.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 20*th May* 1856.

Resolution by the Board, dated the 9*th May* 1856.

RESOLVED,—A considerable part of this very diffuse correspondence is occupied with a discussion of whether the Inam Commissioner kept back from the notice of Government some papers received from the Nimar authorities. It will save time if the Right Honorable the Governor in Council at once states that he entirely acquits the Inam Commission of any such intention. When Mr. Hart and Captain Cowper wrote and submitted their reports they had not received the papers. Almost immediately after the papers had been received, Mr. Hart proceeded to England, and was succeeded by Mr. Manson. Eventually the papers were placed at the disposal of Mr. Warden, who was instituting some inquiries at Poona relative to the question at issue.

2. The question relates to some possessions claimed by the Poorundhuree family in Nimar, consisting of the two villages Chugaum and Nugaum, and the Mokassa Umul of five other villages. These possessions were after some inquiry and discussion granted in 1823, by a Sunud from the Governor General, to Vittulrao Mulhar Poorundhuree for life. He died in 1840, and the possessions in Nimar were resumed. An appeal was made by Chimnajee, the son of Vittulrao, which was referred to the Government of India, but in August 1841 it was announced that the grant was limited to the life of Vittulrao.

3. In 1842 instructions were received from the Honorable Court for the

revision of the Surinjam lists. In 1844 Mr. Warden submitted classified lists; in these it was stated with respect to the Nimar possessions,—"By an oversight, this portion of the Surinjam was retained by Government when the remainder was restored to the present incumbent." Mr. Brown, who revised Mr. Warden's lists, left the above entry intact. In neither of the lists of these gentlemen was any allusion made to the decision of 1823, nor to the discussion which occurred on the death of Vittulrao, nor to the decision of the Supreme Government in 1841.

4. The revised Surinjam lists were sanctioned generally by the Honorable Court in 1849, and in 1850 the Government of India restored the villages to Chimnajee Vittul Poorundhuree with arrears of revenue.

5. It will thus be seen that the entry in the revised lists was erroneous, and that what was stated to have been "retained by an oversight" was really retained after full and ample discussion,—after decision, reconsideration, and final orders.

6. These facts are now admitted by Mr. Warden, to whose notice the previous correspondence had never been brought. But that gentleman, while conceding the erroneousness of the specific entry, has at great length argued that the villages should be, nevertheless, continued, or rather restored—for they have been again resumed—to the Poorundhuree, upon the merits of the case.

7. The villages were granted by the Supreme Government, under a Sunud to Vittulrao, *for life*. But it would appear to be conceded by the Inam Commission that, did no particular objection exist, the possessions would, under the Rules of 1842, be regarded as hereditary; just as by the same Rules the Deccan Surinjam of the same family was declared to be hereditary.

8. The objection advanced by the Inam Commissioner, Captain Cowper, which in his opinion renders a distinction necessary between the Nimar and the Deccan Surinjam, is that the former at the breaking out of the war was not in the possession of the Poorundhuree;—Mr. Warden, on the other hand, contends that it was in the possession of the family.

9. The case, then, on which so much discussion has arisen, and which has been argued on both sides with great ability, is thus narrowed into a single question,—was the Poorundhuree in possession of the Nimar Surinjam at the breaking out of the war?

10. The Right Honorable the Governor in Council, after full consideration, is of opinion that the present is a peculiar case. The interruption in the Poorundhuree's possession was not the result of a resumption by the Peshwa, or of the usurpation of any other Chief, but it was occasioned by a desertion of the villages by their inhabitants, in consequence of Pindaree ravages. The Poorundhuree, under such circumstances, would naturally find it impossible to collect any revenue, but his proprietary rights would remain intact.

11. The Government of India in 1822 alluded to the fact of non-possession at the breaking out of the war, but having in 1850 restored the villages to the Poorundhuree, it must be concluded that the views previously expressed were no longer thought worthy of being urged.

12. The Right Honorable the Governor in Council is, therefore, of opinion that the case should now be left for the final decision of the Honorable the Court of Directors, with an intimation that this Government is of opinion that the villages should be restored to the Poorundhuree as hereditary in the fullest sense of the word.

9th May 1856.

(True copy)

(Signed) H. L. ANDERSON,
Secretary to Government.

No. 357 of 1856.

POLITICAL DEPARTMENT.

From Captain T. A. COWPER,
Officiating Special Commissioner,

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

Dated Bombay, 26th June 1856.

SIR,—I have the honour to submit, for the consideration of Government, the apparent necessity of modifying paragraph 11 of their Resolution regarding the Nimar Surinjam of Chimnajee Vittul Poorundhuree, a copy of which accompanied your letter to my address No. 2585 of the 20th May last.

2. In that paragraph Government have recorded their opinion that the Government of India, when in 1850 they restored the Nimar villages, must be concluded to have thought the views they had previously expressed regarding them "no longer worthy of being urged."

3. But it will, I think, be found that the Government of India restored the villages in 1850 without in the slightest degree abandoning their original views, and that they three years afterwards, when informed how the Honorable Court's orders for the restoration had been obtained, not only forthwith cancelled their order of 1850, but expressly declared the villages to have been in the first instance "properly resumed."

4. The Nimar villages were in 1822 continued to Vittul Mulhar Poorundhuree by a Sunud from the Government of India *specifically* providing for their resumption at his death.

5. This Sunud was issued after several years' inquiry and deliberation, at the close of which the Government of India held it clearly proven that Vittul Mulhar was not in actual possession of the villages at the introduction of British rule, when they were found deserted, he having abandoned them some years previously.

6. In 1840 Vittul Mulhar died, and the villages were resumed; when his son, Chimnajee Vittul, preferred a claim, which was submitted to the Government of India, and by them rejected on the grounds (described in paragraph 5) at first assigned for limiting continuance to the father's lifetime.

7. All this passed through the office of the Agent for Sirdars, in which, in the Surinjam lists of 1843, the Nimar villages were entered as to be restored, having been resumed by an "oversight." This was the *whole* of the explanation afforded; every portion of the past transactions was suppressed.

8. The next Agent, Mr. Brown, revised in 1847 the lists of 1843, and failed to correct this error, though he added to it a statement regarding Sunuds tending still further to mislead.

9. On the *general* sanction of the Honorable Court of Directors being accorded to the revised lists, the Government of India were simply requested to restore the villages in *accordance with* the *Honorable Court's orders*, and this was done.

10. In 1853 the Inam Commissioner exposed the utter erroneousness of the entry in the Agent's lists, and the Government of Bombay on the 23rd June 1853 brought the facts to the notice of the Government of India, with a recommendation that the villages should be at once resumed.

11. The Government of India on the 22nd July 1853 replied, through their Foreign Secretary, as follows :—

"As the recommendation of the Government of Bombay, which was generally approved by the Court of Directors, and which under that approval led the Government of India in 1850 to restore the Nimar villages that had been resumed—and properly resumed—after full consideration by the Government of India in 1840-41, was founded upon a mistaken statement of the facts of the case, his Lordship in Council agrees with the Government of Bombay in thinking that the error should be at once corrected by the recall of the order of 1850, and the immediate recovery of the villages in question."

12. It was *after* the receipt and *promulgation* of these orders that Mr. Warden, the Agent who had prepared the lists of 1843, submitted a letter in reply to a call which had been made on him for explanation. The following is the only portion of his letter (to the Chief Secretary to Government, dated the 9th September 1853) which it is necessary here to notice :—

"And I state my opinion, respectfully but unreservedly, that to resume

these villages without a reference to England is at once to disobey the home authorities, and violate public faith with the son of a poor and loyal subject."

13. I now learn that Government have recommended the reversal of the order of the Government of India, and in doing so have, in paragraph 11 of their resolution, recorded the opinion which I have described in my 2nd paragraph.

14. That there has been some misapprehension seems to me so evident that I have not hesitated to submit the necessity of reconsidering the case, which, moreover, I believe to be one in which it is especially necessary to uphold the orders already passed, *provided* they cannot be questioned on the score of material error. I mean to say that I conceive it to be in the last degree undesirable that an order of the Governor General of India three times iterated,—in 1822, in 1840, and in 1853,—and on the last occasion with an emphatic declaration of the correctness of the two previous decisions, should be annulled after it has been stigmatised publicly as a violation of "public faith" by an officer, the error of whose previous statement of the case, committed when he was Agent for Sirdars, he was then endeavouring to uphold by the weight of his recently acquired authority as a member of the Government of Bombay.

15. A secondary objection to such annulment is, I think, to be found in its probable effect upon the people, who are aware of the whole of the proceedings hitherto, but will assuredly, as it appears to me, never be able to understand how the Inam Commissioner's inquiry, the expunction from the Surinjam lists, and the resumption by the Government of India which took place in 1853, can, without the discovery of a single new fact, admit of hereditary continuance in 1856.

16. A third and very strong objection remains,—the suppression (see Inam Commissioner's letter to Government No. 2860 dated the 27th December 1853, paragraph 7) by the claimant himself, both in his written and in his oral statement of his case to the Agent in 1843, of the *only* facts which were material to it. He failed, when laying his case before Mr. Warden, to make any mention of his application, and its decisive rejection only a few months previously, and he withheld, when producing what he called "all his Sunuds," the only one which could explain how the case really stood,—the Sunud of 1822 from the Government of India expressly declaring the villages granted for life only. All this acquires, I think, additional force from the fact of Government having but lately enunciated (resolution passed in the Revenue Department on the 9th September 1853, No. 5281, paragraphs 32 to 34), with the concurrence of the Government of India and of the Honorable Court of Directors, that mis-

representation or suppression on the part of a claimant will, on detection, be invariably followed by the recall of any favour conceded in consequence of such misrepresentation or suppression ; and of their having enforced the principle in several cases of importance, the latest being one in which His Highness Holkar's agents have been found to have resorted to these objectionable means. (Resolution passed in the Revenue Department on the 14th May 1856.)

I have the honour to be, &c.

(Signed) T. A. COWPER, Captain,
Officiating Special Commissioner.

No. 3540 OF 1856.

POLITICAL DEPARTMENT.

From H. L. ANDERSON, Esq.,
Secretary to Government, Bombay,

To Captain T. A. COWPER,
Special Commissioner in charge Alienation Department.

Dated 16*th July* 1856.

SIR,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 357 dated the 26th ultimo, relative to the Nimar portion of the Surinjam entered in the revised lists of 1847 as No. 19 of Class I., in the name of Chimnajee Vittul Poorundhuree.

2. In reply, I am desired to inform you that this case has been referred for the final orders of the Honorable the Court of Directors, and that the erroneousness of the original entry in the revised lists has been admitted, and the case left for the decision of that authority on its merits.

3. The Right Honorable the Governor in Council thinks, therefore, that it will only be necessary to forward a copy of this letter by the next mail to the Honorable Court, in order that the arguments stated in it may meet with such consideration as they may be held to deserve.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 16*th July* 1856.

No. 510 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Poona, 10th November 1853.

Sir,—I have the honour, under the instructions noted in the margin, to submit a report on the Deccan portion of the Surinjam entered in the name of Chimnajee Vittul Poorundhuree as No. 19 of Class I. in the revised lists of Surinjams forwarded to Government on the 26th October 1847, by the Agent for Sirdars, Mr. Brown.

Paragraph 4 of Chief Secretary's letter No. 4175 of the 24th September 1852, and Inam Commissioner's letter No. 1314 of the 1st December following.

2. On the 28th February last, No. 102, I reported that the revised lists, apparently, not only failed to show, but completely misrepresented certain important circumstances connected with the Hindoostan portion of this Surinjam; and I then stated (paragraph 28) that I left "the title under which the Surinjam in the Deccan is held by Chimnajee Vittul Poorundhuree for inquiry, if requisite, hereafter."

3. Of the urgent necessity for such an inquiry I have lately become aware from an examination (see paragraph 16 of this letter) of some of the records of the Peshwas' Government, which clearly show that although in the lists of 1844, in the revised lists of 1847, and in a separate communication dated the 29th December 1844 (see paragraph 13 of this letter) from the Agent for Sirdars, Mr. Warden, the whole Deccan Surinjam has been stated to have been granted prior to A. D. 1751, a large portion of it was, in reality, not granted nor held until after that period.

4. The following extract from Mr. Elphinstone's lists refers to the *whole* of the Surinjam which it was proposed to continue to Vittulrao Mulhar, and not to merely the Deccan portion, the detail of which is given in the next paragraph.

Number.	Name.	Class.	Remarks.	Decision.	Total Amount of the Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.		Estimated real Value at present.		Pecuniary Pension.	For what Period recommended.
							Rs.	a.	Rs.	a.		
7	Vittulrao Poorundhuree.	Mootsudees.	He is of the great family of the Poorundhuree. He is poor, and in debt. He left the Peshwa early in the war, and returned to his village of Moortemoondwah, but concealed himself to avoid waiting on me when I passed it in April.	To retain the whole of his Jagheer, according to Rule No. 3; land.	Rs. 20,949; besides resumed by Bajee Rao Rs. 5,369.	78	10,832	$5\frac{1}{4}$	4,366	$14\frac{1}{2}$	..	Hereditary.

5. The *Deccan* portion of the above Surinjam, which was shown in the register of restored personal Surinjams which Mr. Elphinstone's successor, Mr. Chaplin, forwarded to the Bombay Government with a letter No. 122 dated the 20th October 1822, to have been restored to Vittulrao Mulhar Poorundhuree, consisted of the following items:—

Poona Collectorate.

The village of Hurnee, Turuf Neerthuree, Prant Poona, exclusive of Mokassa ....Rs.	324	8	0
The Mokassa and Babtee Umuls of the village of Taklee, Turuf Sandus, Prant Poona.....................	216	0	0
The Mokassa Umul of the village of Moondwah, Kurryat Sassoor	78	8	0
The Mokassa Umul of the village of Wursolee, Turuf Nanay Mawul	77	4	0
The village of Pimpulnair, Turuf Nighoz, Prant Joonere..	1,733	8	0
The Mokassa, Babtee, Sahotra, and Nimchowtaiee Umuls of the village of Moortee, Purguna Soopa	441	12	0

Fifteen beegas of land in the village of Wanowree, Turuf Havailee ....Rs.	30	0	0
Twenty ditto ditto in the village of Kurunjé, Turuf Neerthuree..	17	0	0
Total in Poona....Rs.	2,919	2	0

Nuggur Collectorate.

The Mokassa, Babtee, and Surdeshmookee Umuls of the village of Chowrana Boodrook, Turuf Nuggur Havailee	288	9	6
The Mokassa, Babtee, and Surdeshmookee Umuls of Pétah Boorhanuggur, Turuf Nuggur Havailee	567	9	9
The village of Wudewlé, Purguna Shewgaum	2,500	0	0
The Mokassa Umul of the village of Wasreh, Purguna Akolay	119	0	0
The Mokassa, Babtee, and Sahotra Umuls of the under-mentioned villages in Purguna Umber:—			
Antervelly Tembé..............................	475	0	0
Muchindra Chincholee........................	625	0	0
The Mokassa Umul of the village of Pargaum, Purguna Wun	200	0	0
The Mokassa Umul of the village of Tazoo, Purguna Pargaum	50	0	0
Total in Nuggur....Rs.	4,825	3	3

In Sattara.

One-fourth of a chahoor of land in the village of Bhooinj, Sumut Neemb, Prant Waee......................	75	0	0

6. In 1834 lists of the Deccan Surinjams were prepared by the Deputy Agent for Sirdars, Mr. Warden, revised by the Agent, Mr. Marriott, and by the latter officer submitted to Government, with a letter, No. 26 dated the 6th March. In the Deputy Agent's lists this holding was entered as No. 8, and in those of the Agent as No. 25, of Class I.; in all other respects the two lists agreed; A. D. 1741 was assigned as the date of original grant of the Surinjam, and its estimated real value was shown to be Rs. 7,491-13-6.

7. In 1840 the Agent for Sirdars, Mr. Mills, framed new lists of the Deccan Surinjams, which were submitted to Government with his letter No. 258 of the 23rd October. In these lists this Surinjam was entered as No. 28 of Class I., the date of its original grant, and its estimated real value,

corresponding with the entries in the lists of 1834, and the column of "Remarks" containing the following entry :—

"Vittulrao Mulhar Poorundhuree died in January 1840, and the estate has been continued to his son, according to the late Agent's Rules."

8. The principles upon which Mr. Mills had framed his lists were pronounced by the Honorable Court of Directors to be erroneous and at variance with their intentions; they, consequently, in a despatch, No. 17 of the 26th October 1842, enunciated definite Rules, according to which they desired that new lists should be framed, and in the 20th paragraph of this despatch they thus adverted to the Deccan Surinjam, which had been continued, at the death of Vittulrao Mulhar Poorundhuree, to his son Chimnajee Vittul :—

"The sixth and last case is that of Vittulrao Mulhar Poorundhuree, whose Surinjam of Rs. 7,491-3-37 you have determined to continue for one more generation. The original grant of this estate being of the early date of 1741, it must, under the principles laid down in the present despatch, be hereditary, and we direct that it be so considered."

9. The principles laid down by the Honorable Court were,—

I. (Paragraph 9 of Honorable Court's Despatch.)—"That all Jagheers in Class I. of Mr. Mills' list, which bear dates anterior to 1751, be, as Mr. Elphinstone recommends, 'hereditary in the fullest sense of the word,' together with those of which the dates are unknown, but which are known to be ancient."

II. (Paragraph 10 of Honorable Court's Despatch.)—"In addition to these ancient Jagheers, all those of more recent date, which were granted in commutation for the resumption of more ancient possessions (which is known to have been the case with some) are entitled in like manner to an hereditary tenure."

III. (Paragraph 12 of Honorable Court's Despatch.)—"That with regard to Surinjam grants bearing date subsequent to 1751, resumption after a second generation from the conquest, making a pensionary provision equal to half the net proceeds of the Surinjam lands for the generation next succeeding, should be the general rule."

IV. (Paragraph 12 of Honorable Court's Despatch.)—"That cases in which Mr. Elphinstone may have recommended a more extended provision" should be separately and specially considered, as also any other cases deemed to require such consideration.

10. These instructions were communicated to the Agent for Sirdars, Mr. Warden, who was ordered to frame new lists in the Chief Secretary's letter

No. 994 of the 9th May 1853, the 10th paragraph of which specially adverted to this Surinjam in the following terms:—

"In regard to the 20th paragraph of the Honorable Court's despatch, I am directed to request that you will ascertain and report to Government whether the family of the late Vittulrao Mulhar Poorundhuree possess any documentary proofs of the estate held by the deceased having, as asserted by thêm, been granted to his family in the year 1741."

11. In the 4th paragraph of the same letter, the Chief Secretary specially pointed out the necessity of carefully ascertaining, in each case, "the date of the original grant, as ascertained from Sunuds or other documents, either on the records of the Poona Duftur or in the possession of the family to whom the Surinjam was granted; the utmost care (the Chief Secretary added) should be taken to guard against any fraud or deception on this point."

12. New lists were accordingly framed and submitted to Government with Mr. Warden's letter, No. 225 of the 29th December 1844. In these lists the whole Deccan Surinjam of Chimnajee Vittul Poorundhuree was, as No. 29 of Class I., shown to have been granted in A. D. 1741.

13. In the 19th paragraph of his transmittory letter, Mr. Warden afforded the following explanation in regard to this Surinjam, including a portion claimed in Hindoostan:—

"In reply to your last paragraph [see paragraph 10 of this letter], I have the honour to state that the family of Vittulrao Mulhar Poorundhuree has produced twenty-one Sunuds or title-deeds, of which fourteen relate to his Surinjam in Poona and Ahmednuggur, and seven to his estate in Hindoostan, which last, I am informed, has been resumed, although granted by two Sunuds, dated one in A. D. 1739 and the other in A. D. 1744, and which should, therefore, be restored with arrears. The Poona and Ahmednuggur possessions are secured by Sunuds bearing dates from A. D. 1719 to A. D. 1768; of these seven are dated subsequently to A. D. 1751, but as all these refer to older grants, and Mr. Elphinstone declares the estate to have existed seventy-eight years in 1819, which gives the year A. D. 1741 as that of the original grant, as set down by me in the lists of 1834, I think no mistake can have been made on this point."

14. The entry in Mr. Warden's lists of 1844 of Surinjams of the First Class—*i. e.* those granted before A. D. 1751—is below shown; the entry in list No. 5, referred to in the column of "Remarks," has not been extracted, as it has no connection whatever with the Deccan portion of the Surinjam.

STATEMENT

EXHIBITING THE

SURINJAM OF THE POORUNDHUREE FAMILY.

Number.	Name of Original Grantee.	Name of Present Incumbent.	Soobhas in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village. Rs.	a.	p.	Date of Original Grant, as ascertained from Sunuds and Records. A. D.	Age of Present Incumbent.	Annual Private Income of the Incumbent. Rs.	The Names and Ages of the Incumbent's Male Issue.	The Tenure.	Remarks.
29	Mulhar Tookdeo Poorundhuree.	Chimnajee Vittul Poorundhuree.	Poona........	Taklee	216	0	0	1741	17 years.	420	None.	See No. 2 of List No. 5.	..
			The Mokassa of these villages.	Moondwah..................	78	8	0				Hereditary in the fullest sense of the word.		
				Wursolee	77	14	0						
				Moortee....................	441	12	0						
				Hurnee	324	8	0						
				Land in the village of Ghorpuray.	30	0	0						
				Ditto in the village of Kurunjeh.	17	0	0						
				Total..	1,185	10	0						
			Ahmednuggur.	Pimpulnair..................	886	5	0						
				Wudewlé Khoord	1,277	10	9						
				Chahoorana Boodrook	266	13	0						
				Wasur	157	12	9						
				Pargaum	104	12	0						
				Tazoo......................	29	4	0						
				Total..	2,722	9	6						
			Sattara	Bhooinj	75	0	0						
			Nimar, in Hindoostan.	Chugaum Mukana............	1,500	0	0						
				Nugaum....................	1,288	0	0						

			Buhadurpoor Ichapoor Koortee Boree Sangvee	225	0	0						
			Total..	3,013	0	0						
			Grand Total..	6,996	3	6						

15. In Mr. Brown's Revised List, submitted to Government on the 26th October 1847, this Surinjam was entered as shown in the following extract; the entry in list No. 5, to which allusion is made in the column of "Remarks," had no reference to the Deccan portion.

Number.	Name of Original Grantee.	Name of Present Incumbent.	No. in the List prepared in 1834.	Soobhas in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.			Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.
1	2	3	4	5	6	7			8	9
						Rs.	a.	p.	A. D.	
19	Mulhar Tookdeo Poorundhuree.	Chimnajee Vittul Poorundhuree.	No. 25 of Class I.	Poona.	Taklee	216	0	0	1741.	17 years.
					Moondwah	78	8	0		
					Wursolee	77	14	0		
					Moortee	441	12	0		
					Hurnee	324	8	0		
					Land in the village of Ghorpuray	30	0	0		
					Land in the village of Kurunjeh	17	0	0		
					Total..	1,185	10	0		
				Ahmednuggur.	Pimpulnair	886	5	0		
					Wudewlé Khoord	1,277	10	9		
					Chahoorana Boodrook	266	13	0		
					Wasur	157	12	9		
					Pargaum	104	12	0		
					Tazoo	29	4	0		
					Total..	2,722	9	6		
				Sattara	Bhooinj	75	0	0		
				Nimar, in Hindoostan.	Chugaum Mukana	1,500	0	0		
					Nugaum	1.288	0	0		
					Buhadurpoor, Ichapoor, Koortee, Boree, Sangvee	225	0	0		
					Total..	3,013	0	0		
					Gand Total..	6,996	3	6		

Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
10	11	12	13	14
Rs.				
420	None.	Hereditary in the fullest sense of the word.	In the Class of Mootsudees, No. 7.—Vittulrao Poorundhuree. He is of the great family of Poorundhuree. He is poor, and in debt. He left the Peshwa early in the war, and returned to his village of Moortemoondwah, but concealed himself to avoid waiting on me when I passed it in April. To retain the whole of his Jagheer, according to Rule No. 3. Land; hereditary.	This Surinjamdar possesses many Sunuds, and by them it appears that the tenure of the Surinjam is antecedent to Esunay Arbain (A. D. 1741). Translations of them are contained in Appendix A to this list. This Surinjamdar possesses a Surinjam in Hindoostan to the amount of Rs. 3,013. The Bengal authorities should be addressed, in order that this Surinjam should be restored. By an oversight, this portion of the Surinjam was retained by Government when the remainder was restored to the present incumbent in A. D. 1840. Sunuds and Chor Chittees are in the possession of this person. (See No. 2 of Statement No. 1 of List No. V.)

16. It will be seen that it was not until Mr. Warden's lists of 1844 were framed that it became of primary importance to ascertain with exactness the date of grant of each of the items composing a Surinjam; and it will be observed that the Government, in promulgating the orders of the Honorable Court, especially pointed out (see paragraph 11 of this letter) the necessity of consulting the State records of the Peshwas' Government (the Poona Duftur) on this point. I can scarcely suppose such a reference to have been made in this case at all; but if the Peshwas' records were consulted by any qualified persons, the information which they afforded must, I apprehend, have been withheld by them from Mr. Warden, as a portion of it lay on the very surface (see paragraphs 18 and 19 of this letter), and must have, I think, at once attracted their observation, just as it has now done (see paragraph 3 of this letter) that of my subordinates and of myself.

17. Of the Deccan Surinjam, valued at Rs. 3,983-3-6, and entered as granted before A. D. 1751 in Mr. Warden's lists of 1844 and in the revised list of 1847, the undermentioned items, valued at Rs. 1,391-8-1½, were granted *subsequently* to that year (as shown below) as *new grants*, and not in commutation for or with reference to anything held previously:—

Date of Grant.	Items.	Value according to Revised Lists. Rs.	a.	p.
A. D. 1754-55	The village of Hurnee, in the Poona Collectorate, exclusive of the Mokassa Umul................	321	8	0
„ 1756-57	The Babtee and Sahotra Umuls of the village of Moortee, in the Poona Collectorate	208	12	0
„ 1757-58	The Jagheer Umul of the village of Wudewlé, in the Ahmednuggur Collectorate	731	10	7½
„ 1765-66	The Babtee and Surdeshmooke Umuls of do. do..	123	9	6
	Total value of grants made after A. D. 1751.. Rs.	1,391	8	1½

18. The first item specified in the last paragraph—the village of Hurnee exclusive of the Mokassa Umul—was granted by the Peshwa, whose Sunud is duly registered in the State records.

19. The second item, consisting of the Babtee and Sahotra Umuls of the village of Moortee, was granted by the Punt Suchew, but the exact date of grant I have not been able to ascertain. There is proof, however, that the grant had not been made in A. D. 1756-57, as the State ledger for that year contains the registry of a Sunud issued by the Peshwa, and granting to Poorundhuree the *management (Komavees)* of these Umuls. This year has, therefore, been assigned as the date of grant, which, although it *could* not have been made before, may have taken place *in* A. D. 1756-57.

20. The third item, the Jagheer Umul of Wudewlé, was granted in A. D. 1757-58 by Sindia, whose Sunud was produced before the Agent, Mr. Warden, in 1843, and is recorded in a statement which was then made by the Surinjamdar, who did not produce any document of an earlier date,—in fact, he could not do so, this being the Sunud making the original grant as a new one, and not in commutation for or with reference to anything held previously.

21. The fourth item, consisting of the Babtee and Surdeshmookee Umuls of Wudewlé, was granted by the Peshwa in A. D. 1765-66, by a Sunud registered in the State records. This Sunud was also produced before Mr. Warden in 1843, and the remarks made at the close of the last paragraph apply equally to this document.

22. It appears to me that in this case the person or persons in the Agent's Office who were employed to render to their superiors the substance of the Murathee Sunuds and the Murathee statement of the Surinjamdar, must have committed a deliberate fraud; for under no other supposition can I account for Mr. Warden having informed (paragraph 13 of this letter) the Government that the Poona and Ahmednuggur possessions were secured by Sunuds bearing dates from A. D. 1719 to A. D. 1768, seven of these being dated subsequently to A. D. 1751, but referring to older grants; the fact being that two of the documents (those specified in paragraphs 20 and 21 of this letter) were Sunuds dated subsequently to A. D. 1751, making new grants, and not referring in any way to anything held previously.

23. It would seem, also, that a large portion of the documents which the Surinjamdar produced in 1843 could not have been shown to Mr. Warden at all; at least, I infer this from the fact of there being recorded in the Surinjamdar's statement more than four times the number (twenty-one) specified by the Agent. (See paragraph 13 of this letter.)

24. When the lists were revised by Mr. Brown in 1847 the following remark was added to the entry previously made by Mr. Warden:—

> "This Surinjamdar possesses many Sunuds, and by them it appears that the tenure of the Surinjam was antecedent to Esunay Arbain (A. D. 1741). Translations of them are contained in Appendix A to this list."

This certainly seems to me to imply that translations of the Sunuds under which the whole Surinjam was held were appended; but such was not the case,—the only translations were those of Sunuds for the estate in Hindoostan, which was entered in the list as retained "by an oversight," when its resumption, on grounds which the Sunuds did not affect, had been declared final on a reconsideration of the case by the Government of India in 1841, and the decision had been communicated to the Agent, and recorded in both the English and Murathee Offices; but for the Deccan Surinjam, the tenure of which

depended wholly *on the Sunuds,* no translations were appended; had they been furnished, that which I have now reported must have been at once detected, or, at any rate, could only have been concealed by false translations.

25. Under the circumstances now reported, therefore, it appears that a portion of this Deccan Surinjam, of the value of Rs. 1,391-8-1½, should not, under the Rules laid down by the Honorable Court of Directors, be held on hereditary tenure, being resumable after a second generation from the conquest (*i. e.* on the demise of the present incumbent), a pensionary provision being made for the generation next succeeding.

26. The above valuation I have taken from the revised lists, but it cannot be depended upon, as I find that in regard to some of the items the lists show the value assigned to the holding in the Peshwas' accounts, which is of course far in excess of its present value, while in other instances the present actual value seems to be the one assigned; at least, I infer such to be the case from its being less by nearly one-half than that shown in the Peshwas' records.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 2722.

Political Department.

From C. J. Manson, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Dated Poona, 12*th November* 1853.

Sir,—I have the honour to submit a report (No. 510 dated 10th November 1853) by my Assistant, Captain Cowper, on the Deccan portion of the Surinjam entered in the name of Chimnajee Vittul Poorundhuree as No. 19 of Class I. in the revised lists of Surinjams forwarded to Government on the 26th October 1847 by the Agent for Sirdars, Mr. Brown.

2. This report exposes what certainly looks like a most barefaced fraud practised upon Mr. Warden, late Agent for Sirdars, in regard to fixing the date of the original grant of the Surinjam, by means of which fraud the public revenues have been declared liable for a larger amount and for a longer period than the Surinjam Rules sanction.

I have the honour to be, &c.

(Signed) C. J. Manson,
Inam Commissioner.

No. 2640 of 1856.

POLITICAL DEPARTMENT.

From H. L. ANDERSON, Esq.,
Secretary to the Government of Bombay,

To Captain T. A. COWPER,
Special Commissioner in charge Alienation Department.

Dated 21*st May* 1856.

SIR,—Referring to Mr. Manson's letter, No. 2722 dated the 12th November 1853, with enclosure, relative to the Deccan portion of the Surinjam entered in the name of Chimnajee Vittul Poorundhuree as No. 19 of Class 1. in the revised Surinjam lists of 1847, I am directed by the Right Honorable the Governor in Council to enclose, for your information and guidance, copy of a resolution passed thereon by Government under date the 9th instant.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 21*st May* 1856.

Resolution by the Board, dated the 9*th May* 1856.

The question relative to the Deccan portion of the Surinjam of Chimnajee Vittul Poorundhuree depends on a point of fact. By the orders of the Honorable Court, Surinjams granted before 1751 are declared to be hereditary in the fullest sense of the word. In Mr. Warden's and Mr. Brown's lists, the Deccan Surinjams of this family are stated to have been granted in A. D. 1741, but Mr. Warden admitted that seven Sunuds for various holdings were of a later date than A. D. 1751. He added, however, that all these referred to other grants. Captain Cowper opposes this statement by the assertion that four holdings were acquired after 1751, and were not acquired in lieu of former possessions.

2. The holdings to which Captain Cowper refers are the following:—

I.—The village of Hurnee, in the Poona Collectorate, exclusive of the Mokassa Umul, granted in A. D. 1754 ....Rs.	324	8	0
II.—The Babtee and Sahotra Umuls of Moortee, in the Poona Collectorate, granted in A. D. 1756-57...	208	12	0
III.—The Jagheer Umul of Wudewlé, in the Ahmednuggur Collectorate, granted in A. D. 1757-58	734	10	7½
*IV.—The Babtee and Surdeshmookee Umuls of Wudewlé, granted in A. D. 1765-66	123	9	6

3. Captain Cowper shows, in the 18th to 22nd paragraphs of his report, that these grants were not in lieu of former possessions.

4. Mr. Warden has sent from England his remarks upon the case, in the course of which it may be collected that he abandons the defence of this entry in his lists. He forwards the answers of Vidyadhur Punt, the Assistant Sheristedar in 1844, and of Raojee Pendsay. The substance of these answers completely bears out Captain Cowper's assertion. Vidyadhur Punt endeavours to involve the facts in some difficulties, but on the main points he confirms Captain Cowper's statement, and Raojee Pendsay does so still more clearly and unreservedly.

5. Mr. Warden suggests that Chimnajee Vittul be called upon to prove his title, but this course the Right Honorable the Governor in Council considers to be quite unnecessary. That Sirdar has had every opportunity of doing so, and has altogether failed. The facts are abundantly clear that the four holdings above detailed—which amount in value to one-third of the Deccan Surinjam—were granted after 1751, and were granted as new grants. The Right Honorable the Governor in Council, therefore, considers that they must, according to the Surinjam Rules as prescribed by the Honorable Court, lapse on the decease of the present incumbent, a pensionary provision being made for the next generation.

(True copy)

(Signed) H. L. Anderson,

Secretary to Government.

9th May 1856.

APPENDIX F.

No. 500 of 1853.

From Captain T. A. Cowper, Assistant Inam Commissioner,

To C. J. Manson, Esq., Inam Commissioner.

Dated Poona, the 27th October 1853.

Sir,—I have the honour, under the instructions noted in the margin, to report upon the Surinjam entered as No. 60 of Class I.* in the revised lists of Surinjams submitted to Government by the Agent for Sirdars, Mr. Brown, on the 26th October 1847.

Paragraph 4 of Chief Secretary's letter No. 4175, of the 24th September 1852, and Inam Commissioner's letter No. 1334, of the 1st December following.

2. The result of the earliest inquiry regarding this Surinjam was recorded by Mr. Elphinstone's Secretary, Mr. McDonnell, an extract from whose memorandum is below furnished:—

"No. 45.—Krishnajee Bhandwulkur.—Exd.

"Poona.— *Umul.*

Moujé Kurunjé, Turuf Neerthuree, Mokassa.. .. .. Rs. 480 0 0

"He has not made his appearance. By the district accounts he was in possession up to the war."

3. This Surinjam was entered as No. 45 in the Class of "Silledars" in the lists of Jagheers transmitted by Mr. Elphinstone to the Supreme Government on the 28th October 1819. The following extract shows the entry in these lists:—

N	...ass.		Decision.	...l Amount of the ...gheer as it stood at breaking out of War.	Number possessi...	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.			Estimated real Value at present.			Pec...si...	...or what Period recommended.
				Rs.		Rs.	a.	p.	Rs.	a.	p.		
45	...	Krishnajee B... wulkur.	To retain his ...aghee... on accounting fo... his absence.	480	55	365	8	0	275	8	0		Hereditary.

* It was also entered as No. 10 of List I. in Class V., and this entry has, as affording the fullest information, alone been extracted in the 10th paragraph of this report.

4. On the 28th of October 1822 Mr. Chaplin, Mr. Elphinstone's successor, forwarded to the Bombay Government a register of restored personal Jagheers, in which this Surinjam was entered as having been restored to Hunmunt Rao Bhandwulkur. The following is an extract from the register:—

Number.	As per Lists sent to Calcutta.	Amount.			Restored to the undernamed individuals, who were the actual Incumbents, and are either the same as those named in the Original Lists or their immediate Relations, as explained below.	Amount.			Remarks.
		Kumal.	Akar, estimated Value.	Nemnook, or Pecuniary Allowance.		Kumal.	Akar. Present Produce.	Nemnook, or Pecuniary Allowance.	
		Rs.	Rs.	Rs.		Rs.	Rs.	Rs.	
45	Krishnajee Bhandwulkur.	480	360	..	Hunmunt Rao Bhandwulkur, brother.	480	360	..	..

5. In the lists prepared in 1834 by Mr. Warden, the Deputy Agent for Sirdars, this Surinjam was entered in the name of Hunmunt Rao Bhandwulkur, as No. 47 of Class III. It was valued at Rs. 360, and the date of original grant assigned to it was A. D. 1764.

6. When the Agent for Sirdars, Mr. Marriott, shortly afterwards revised his Deputy's lists, with the exception of a change in the number, which became 33, no alteration was made in respect to this Surinjam.

7. In the lists framed by the Agent for Sirdars, Mr. Mills, in 1840, this Surinjam was entered as No. 56 of Class II.; the value and date of original grant (A. D. 1764) assigned in the lists of 1834 were preserved.

8. Hunmunt Rao Bhandwulkur died in A. D. 1835-36, and his Surinjam was, under orders from Government, resumed; so that it ought not, apparently, to have been entered in Mr. Mills' lists of 1840.

9. When new lists were in 1844 framed by the Agent for Sirdars, Mr. Warden, according to Rules which the Honorable Court of Directors had laid down in their despatch No. 17, of the 26th October 1842, this Surinjam was included among those which under these Rules were to be restored. It was entered as No. 11 of Class V., as shown in the following extract.

Number.	Name of Original Grantee.	Name of Present Claimant.	Soobha in which the Surinjam is situated.	Name of the Village comprising the Surinjam.	Estimated Annual Value of the Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Claimant.	Annual Private Income of the Claimant.	The Names and Ages of the Claimant's Legitimate Male Issue.	The Tenure.	Remarks.
					Rs.			Rs.			
11	Mulharjee bin Toolajee Bhandwulkur.	Bujjeajee bin Hummunt Rao Bhandwulkur.	Poona.	Kurunjé.	480	Before A. D. 1751.	45 years	100	Dhondoba, 9 years; Pandoba, 3 years.	Hereditary in the fullest sense of the word.	See No. 61 of Class I.

10. In Mr. Brown's revised lists of 1847 no alteration was made in regard to anything but the number of the Surinjam, which became 10 of List I. of Class V., as shown in the following extract.

Number.	Name of Original Grantee.	Name of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of the last Incumbent.	Name of the Present Claimant.	Soobha in which the Surinjam is situated.	Name of the Village comprising the Surinjam.	Estimated Annual Value of the Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Claimant.	Annual Private Income of the Claimant.	The Names and Ages of the Claimant's Legitimate Male Issue.	The Date of the Resumption of the Surinjam.	The Amount of Arrears due to Claimant from the date of the Resumption.	Whether the Present Claimant is the direct Descendant of the Last Incumbent.	By how many Generations the Surinjam has been enjoyed since the Conquest.	The Amount of Pension granted to Claimant on the Resumption of the Surinjam.	The Tenure.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
10	Mulharjee bin Toolajee Bhandwulkur.	Hunmunt Rao Bhandwulkur.	Hunmunt Rao Bhandwulkur.	Bujjeajee bin Hunmunt Rao Bhandwulkur.	Poona.	Kurunjé.	Rs. 480	Before A. D. 1751.	45 years.	Rs. 100	Dhondoba, 9 years; Pandoba, 3 years.	13th November 1837.	Rs. ..	Son of last incumbent.	By one generation.	Rs. ..	Hereditary in the fullest sense of the word.	Vide No. 60 of Class I. wherein the reasons are assigned for the restoration of this Surinjam. This person received no grant of pension on the resumption of the estate. The Collector of Poona states in his Yad dated 3rd April 1847, that the amount of arrears due to claimant from the date of the resumption of the Surinjam cannot be ascertained, as it has been mixed up with the general accounts of revenue.

11. The grant has been correctly described* as one made before A. D. 1751; it was, in fact, originally made by the Sattara Raja; but there are peculiar circumstances connected with its subsequent enjoyment which have not been recorded, and which it seems desirable to lay before Government.

12. The Surinjam was, on account of the *treason* of the then incumbent, resumed in A. D. 1773-74. It was restored in A. D. 1778-79, but again resumed in the same year, from which time it remained in the hands of the Government until nineteen years afterwards, when it was (in A. D. 1797-98) restored to his son by a Sunud registered in the State records.

13. Thus for the long period of a quarter of a century was this Surinjam not held at all, and at the introduction of the British Government it had only been held uninterruptedly for a period of twenty years.

14. I am not aware whether the question of interruption of enjoyment such as this has ever been discussed, but it certainly appears to me to be one on which the orders of Government are desirable. I referred to it in the 33rd and 34th paragraphs of my report No. 163, of the 2nd May last, in the following terms:—

"33. The principle upon which Inams and Surinjams were continued by Mr. Elphinstone is adverted to in the 10th paragraph of Mr. Warden's letter. With Inams I have at present nothing to do; but not so as regards Surinjams, the inquiry regarding which Mr. Warden explains to have been 'whether it had been, *however possession may have been in the interval disturbed*, first granted by the dynasty which the British Government succeeded, or whether a stronger prescriptive title had been established by the ability to trace the original grant to the Raja of Sattara or the Mahomedan rulers of the Deccan.' But this is exactly opposed to the principle laid down in the Government letter (as I understand it) which directed the revision of Mr. Warden's lists, and it is on the principle which I suppose to have been laid down by the Government that I am conducting my inquiry.

"34. I do not attempt here to look back to Mr. Elphinstone's recommendations, because I apprehend the question to be one arising *solely* with reference to the Rules laid down by the Honorable the Court of Directors on which the revised Surinjam lists were ordered to be framed. When the Honorable Court specified, in paragraph 9 of their despatch No. 17, dated the 26th October 1842, A. D. 1751 as the limit, and declared that all grants of an earlier date should be considered hereditary, they must, I imagine, have contemplated not only possession previous to 1751, but also enjoyment subsequent to that date,—at least so it seems to me; for otherwise a Surinjam granted just before 1751, and under resumption for thirty or forty years of the period intervening between the original grant and the fall of the

* In the lists of 1844 and 1847. In the previous list it was described as a grant of A.D. 1761. (See paragraphs 6, 7, and 8 of this letter.)

Peshwa, would become an hereditary one, while another grant made in 1752, and held from that date to the breaking out of the war, would have no claim to hereditary continuance, although actually enjoyed during a much longer period."

15. The fact of this resumption having taken place was reported to the Agent for Sirdars on the 15th April 1838 by the Amanutdars, who were then in charge of the Peshwa's records: from this, and from Murathee documents relating to this Surinjam, and dated in 1843, which have been received from the Agent's Office, the information would appear to have been on record there when the Surinjam lists of 1844 and 1847 were framed.

I have the honour to be, &c.
(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 2687.

Dated Kirkee, 28th October 1853.

Submitted for the decision of Government.

(Signed) C. J. Manson,
Inam Commissioner.

No. 4353 of 1854.

Political Department.

To Captain T. A. Cowper,
Inam Commissioner.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter, No. 500, dated the 27th October 1853, to the address of Mr. Manson, regarding the Surinjam of Bujjeajee bin Hunmunt Rao Bhandwulkur, entered as No. 60 of Class I. in the revised Surinjam lists of 1847.

2. In reply I am desired to inform you that the proceedings in this case will be referred to the Honorable the Court of Directors, and their instructions solicited as to whether in the case of a Surinjam granted by the Raja of Sattara, resumed and then restored by the Peshwa, the incumbency is to be calculated from the date of the original grant or from the date of the restoration.

I have the honour to be, &c.
(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 11*th October* 1854.

Extract Paragraphs 11 *and* 12 *from a Despatch from the Honorable the Court of Directors, dated the* 12*th December, No.* 27 *of* 1825.

Respecting the Surinjam of Bujjeajee bin Hunmunt Rao Bhandwulkur, No. 60 of Class I.

Para. 11. The question which has arisen respecting this Surinjam, and which you have referred to us for our general instructions, is the following,—whether the title of a family whom we found in possession, and who were in possession in or previous to 1751, is to be affected by intermediate resumptions by the Peshwa. You are of opinion that it should not, provided that there has been a considerable length of possession between the two periods. You must, however, be aware that the course which you thus recommended is at variance with that which we have ordinarily pursued, and that as we do not restore (unless on very special grounds) possessions of which families had been deprived previously to our rule, so also when such possessions, after being taken away, had been restored previously to our rule, we have hitherto regarded them as estates acquired at the date of restoration. We admit that some resumptions may have been so clearly temporary that it would be harsh to consider them as breaking the chain of prescription, but we do not think that such an observation can apply to a case like the present, in which the estate was twice resumed,—the last time for nineteen years,—and had only been held uninterruptedly for twenty years between 1751 and the introduction of the British Government.

12. We are willing, however, to allow to the considerations urged by you sufficient weight to save any Surinjam, which has been actually declared by your Government or by us to be hereditary, from being deprived of that character on account of subsequent discovery of an intermediate interruption of possession, provided that no fraud is discovered or suspected. We, therefore, shall not direct the Surinjam of Bhandwulkur, or any other similarly situated, to be removed from Class I.

APPENDIX G.

No. 493 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Poona, 19th October 1853.

Sir,—I have the honour, under the instructions noted in the margin, to submit a report on the Surinjam entered as No. 20 of Class I. in the revised Surinjam lists submitted to Government on the 26th October 1847, by the late Agent for Sirdars, Mr. Brown.

* Inam Commissioner's letter No. 1915, of the 9th April 1853.

2. This appears to be a case in which grave errors have been committed, and to be one in which the Honorable Court of Directors, in recording their sanction to the hereditary continuance of a Surinjam, have done so, owing to erroneous information, on grounds which did not and do not exist.

3. The first inquiry regarding the holdings of this family was made by Mr. McDonnell, with a view to their entry in the general lists subsequently transmitted (on the 25th October 1819) to the Supreme Government by Mr. Elphinstone, and in regard to the preparation of which he informed the Governor General, in the letter which accompanied the lists,—

"2. The first step in this operation was to extract from the Peshwa's Duftur a full account of each Jagheer, and to ascertain as correctly as possible the character and history of each Jagheerdar, with the time when he made his submission to the British Government. This was done immediately after the war.

"3. The Collectors were next furnished with lists of the personal Jagheers, and requested to ascertain their actual value, and whether they were in force up to the breaking out of the war.

"4. The investigation was now committed to Mr. McDonnell, who proceeded to compare the statements of the Jagheerdars with those drawn up in the Duftur, checking both by the accounts received from the Collectors.

A complete register was framed on this comparison, showing the name of the holder of each Jagheer, the date and nature of the grant, the situation of the lands, and the sources of the revenue when not drawn from land, with the Kumal or highest revenue, the revenue as stated by the Jagheerdar, and actual collections as reported by our officers."

4. The entry in Mr. McDonnell's memorandum is given below :—

"No. 31.—Bulwunt Rao Nagnath.—Exd.

" *Ahmednuggur.*

Kusba Wamoree, Turuf Rahoree, Purguna Sungunmair	Rs.	14,689	0	0
Moujé Jowkerreh, Purguna Shewgaum, withheld by Sindia		2,019	2	0
Total in Ahmednuggur	Rs.	16,708	2	0

"*Khandeish.*

Moujé Nandgaum, Purguna Manikpoor, Shetsunud.	Rs.	200	0	0
Grand Total, Jagheer	Rs.	16,908	2	0

" Inam.

" *Hyderabad.*

Moujé Krishnapoor, Purguna Pytun	Rs.	1,827	10	0

" *Nuggur.*

1 chahoor of land in Kusba Wamoree, Turuf Rahoree	Rs.	120	0	0
Total Inam	Rs.	1,947	10	0

"31. The Mootsudee only claims the village of Wamoree, Rs. 14,659, and Krishnapoor in Inam, Rs. 1,801, which last he states Raja Govind Buksh to have Zubted; he has since through your kindness got an order from Hyderabad for its release. He states his receipts from Wamoree to be Rs. 10,000. He has since his first given another statement, in which he says he omitted to mention Jowkerreh and Nandgaum, the first of which he says is withheld by Sindia, and the latter he has not had for some time. By the district accounts the collections from Wamoree in 1225 amounted to Rs. 8,869-9-0. The account of Jowkerreh has not been received; it is known, however, to have been withheld by Sindia for the last fifteen years. It was originally given by that prince to Moroba Dada Furnavese, from

whom it was taken by Nana Furnavese and given to Bulwunt Rao Nagnath, who held it about fifteen years; and for the last fifteen it has, as above stated, been withheld by Sindia. By the accounts from Khandeish he appears to have held the land in Nandgaum up to the war, contrary to the Mootsudee's own statement. There is a peculiarity in the Sunud for Wamoree,—the amount is not mentioned: this is a plea for him to withhold the rights of others and of Government, as he was in great favour. In renewing his grant the other claims on Wamoree must be specified.

"*Note.*—Rughoonath Gosavee has Rs. 200 on Moujé Wamoree, Turuf Rahoree, as yearly allowance, in charity; Bapoojee Sudasew Rs. 300 as his *wages;* Apajee Junardun Rs. 500 on account of Surdeshmookee and Babtee; Rs. 21 to Dewusthan Shree Shideshwur and other Someshwurs; and Government have Rs. 1,150 on the same village, viz. Rs. 150 as Pagahoozoor, Rs. 500 for grain, and Rs. 500 as Soobha Puttee.

"The Mokassa of Jowkerreh, Purguna Shewgaum, amounts to Rupees 310-12-0, and belongs to Futtehsing Bhosley."

5. On the 9th October 1819 Mr. Elphinstone issued an order for the release of a portion of the Surinjam, the detail of which is given below:—

Ahmednuggur Collectorate.			
The town of Wamoree, Turuf Rahoree, Purguna Sungumnair	Rs. 14,809	0	0*
Khandeish Collectorate.			
Land held in the village of Nandgaum, Purguna Manikpoor (Shetsunud)	200	0	0
Total released....	Rs. 15,009	0	0

6. In Mr. Elphinstone's lists of Jagheers, transmitted to the Supreme Government on the 25th October 1819, this Surinjam was entered as No. 28 in the Class of "Mootsudees," in the name of Bulwunt Rao Nagnath; the following is an extract from the lists.

* This amount exceeds that shown by Mr. McDonnell, the reason assigned being that it was at first wrongly calculated and entered.

Number.	Name.	Class.	Remarks.	Decision.	Total Amount of the Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued.			For what Period recommended.
							Kumal, or greatest recorded Collection.	Estimated real Value at present.	Pecuniary Pension.	
					Rs.		Rs.	Rs. a. p.		
28	Bulwunt Rao Nagnath.	Mootsudees.	His father was a great man, but he was imprisoned by Nana Furnavese, and this Jagheer was given to him on his release, by Bajee Rao. He is dead, but his sons are in possession.	His sons are now the claimants, and are to receive the whole of the lands in their possession up to the war, with a proper provision for the rights of other proprietors in Wamoree. This was a grant of Bajee Rao's, but was an indemnity for an ancient Jagheer. Wamoree was also originally founded by the ancestors of these persons.—Land.	16,908	50	14,889	9,069 9 0	..	Hereditary.

7. It will be seen that of the three items entered in Mr. McDonnell's memorandum (see paragraph 4 of this letter) as claimed in Surinjam, one (the village of Jowkerreh, valued at Rs. 2,019-2-0) was not restored. The explanation of this is to be found in Mr. Elphinstone's declaration that possession at the breaking out of the war was to be a *sine quâ non* to the continuance of an Inam or to the restoration of a Surinjam. With regard to the former description of holdings, he informed the Collectors (Mr. Elphinstone's circular letter to the Collectors, dated the 27th June 1818),—

> "No right of possession is ever intended to be recognised that was not in force at the breaking out of the present war."

And the principle was specifically applied to Surinjams in the 7th of the "General Rules" (forwarded to the Supreme Government with Mr. Elphinstone's letter of the 25th October 1819) laid down by Mr. Elphinstone for the guidance of those employed in framing the lists of Jagheers proposed to be restored. The Rule declared that,—

"No Jagheer not actually enjoyed up to the war was to be restored, unless specially directed so to be."

8. I have thought it necessary thus specially to allude to the village of Jowkerreh, which Mr. Elphinstone did not restore, because the case is one proving, it appears to me, beyond doubt, that neither the Peshwa's title, nor the Peshwa's acts, nor anything else, were held to confer a right to the restoration of that which was not "actually enjoyed up to the war." (See Mr. Elphinstone's declaration, quoted in paragraph 7.)

9. It requires no great search to discover a motive for this arrangement, which was not more simple than equitable. The late rulers and magnates of the conquered country, whatever they might expect from the generosity of the victors, could not suppose that the British Government would place them in possession of that which they did not hold when the war broke out; while, on the other hand, Mr. Elphinstone must have known the pre-existing state of affairs too well not to be aware that to attempt an inquiry into the acts of the Peshwa's Government, or into the acts of others which that Government tolerated, would have been a simple impossibility; and it is not, therefore, difficult to understand why he should have based his arrangements on a broad rule which was just in principle, intelligible to the people, and easily carried out in practice.

10. As, perhaps, the most striking instance of this on record, I would point out the old and noble families whom Bajee Rao had arbitrarily ruined, and for whom Mr. Elphinstone considered it not more humane than politic to make provision; but he never thought of doing so by attempting to discuss the validity of Bajee Rao's acts, or by restoring that of which Bajee Rao had deprived them;—they were provided for by the grant of pensions for their lives. (See paragraph 26 of Mr. Elphinstone's despatch of the 18th June 1818, and paragraph 22 of the reply from the Chief Secretary to the Government of India, dated the 26th September following.)

11. To return to the history of Jowkerreh.—The whole village, exclusive of the Mokassa Umul, was granted by the Peshwa to Nagoram, in Surinjam, by a Sunud the registry of which is forthcoming in the State diary of the 2nd Ramzan Esunay Sumaneen (A. D. 1781–82), and was, according to the statement of the district hereditary officers, (furnished to Mr. Elphinstone, and found among the records of the Deccan Commission,) forcibly wrested from him eighteen years afterwards (in A. D. 1799–1800) by Sindia, who kept it, apparently, up to the war in A. D. 1817, though not only without the Peshwa's sanction, but in defiance of his authority, as is shown by a Surinjam memorandum of A. D. 1807–08 drawn up at Poona, and in which Jowkerreh is entered as forming a portion of the Surinjam of Bulwunt Rao Nagnath, the son of Nagoram.

12. Mr. Elphinstone, having ascertained these facts, did not restore Jowkerreh to Bulwunt Rao Nagnath, but left it, as he found it, in the possession of Sindia, with whom it has remained up to this day.

13. The *principles* upon which Mr. Elphinstone had framed his lists of Jagheers were approved of by the Supreme Government in the Secretary's letter of the 4th March 1820, in the 2nd and 3rd paragraphs of which it was stated,—

"2. The contents of these despatches have been for some time under the consideration of the Governor General in Council.

"3. His Lordship recognises in them an adherence to the principles laid down in the instructions of 26th September 1818."

14. The completion of Mr. Elphinstone's arrangements devolved upon Mr. Chaplin, who succeeded him as Commissioner, and who, with a letter, No. 121, of the 28th October 1822, forwarded to the Bombay Government a document which he described as "a register of all *personal** Jagheers which have been restored by Government and now held in the Deccan," and in which Bulwunt Rao Nagnath's Surinjam was entered, as shown below, in the Class of "Mootsuddees":—

	As per Lists sent to Calcutta.	Amount.			Restored to the undernamed individuals, who were the actual Incumbents, and are either the same as those named in the Original Lists or their immediate Relations, as explained below.	Amount.			Remarks.
		Kumal.	Akar, estimated Value.	Nemnook, or Pecuniary Allowance.		Kumal.	Akar, present Produce.	Nemnook, or Pecuniary Allowance.	
		Rs.	Rs.	Rs. a. p.		Rs.	Rs. a. p.	Rs.	
28	Bulwunt Rao Nagnath.	14,889	..	9,069 9 0	Purushram Bulwunt, Purshotum and Balkrishna Bulwunt, sons.	15,009	7,681 13 0	..	Altered on detection of a mistake in former amount.

15. At the same time a Murathee statement was prepared in the Commissioner's Office, exhibiting the detail of each restored Surinjam, and

* *Italicised* by Captain Cowper.

showing, in Bulwunt Rao Nagnath's case, the items restored to be those entered in Mr. Elphinstone's order of release of the 15th October 1819, (see paragraph 5 of this letter,) at a valuation of Rs. 15,009, and consisting of the town of Wamoree and of land in the village of Nandgaum.

16. On the 7th November 1832 the Deputy Agent for Sirdars, Mr. J. Warden, suggested to Government that lists of the Deccan Surinjams should be prepared, with a view to some fixed and definite rules being laid down for their continuance or otherwise on the death of incumbents. This proposition met with approval, and the lists were, accordingly, framed and submitted by Mr. Warden to the Agent, Mr. Marriott, on the 3rd January 1834.

17. Mr. Marriott was subsequently directed to revise these lists, which he did, and on the 6th March 1834 re-transmitted them to Government. The Surinjam now under consideration was entered in them as No. 26 of Class I., in the names of "Purshotum Bulwunt and Krishna Rao Bulwunt Wamorekur"; the "date of original grant" was entered (column 4 of list) as A. D. 1771, *the date which the Deputy Agent, Mr. Warden, had previously assigned to it.*

18. In 1840, new lists of the Deccan Surinjams were framed by the Agent for Sirdars, Mr. Mills, and submitted to Government with his letter No. 258, of the 23rd October. In these documents the Surinjam of the Wamorekur family was entered as No. 29 of Class I., the names of the holders and the date of original grant corresponding with the entries in the former lists prepared by Mr. Warden and revised by Mr. Marriott.

19. In the next lists framed, which were those prepared by Mr. Warden as Agent for Sirdars, and submitted to Government with his letter No. 225, of the 29th December 1844, this Surinjam was entered as No. 57 of Class I., as shown in the following extract.

Number.	Name of Original Grantee.	Names of Present Incumbents.	Soobha in which the Surinjam is situated.	Name of the Village comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Ages of the Present Incumbents.	Annual Private Income of the Incumbents.	The Names and Ages of the Incumbents' Legitimate Male Issue.	The Tenure.	Remarks.
					Rs. a. p.		Years.	Rs.			
57	Nagoram.	Purshotum Rao Bulwunt, and Krishna Rao Bulwunt.	Ahmednuggur.	Wamoree.	14,089 15 6	A. D. 1741.	52 41	125 ..	Balkrushn, 20 years; Venaik, 18 years; Ramrao, 5 years. None.	Ditto.	In the original lists of 1834, recorded in the Agent's Office, the year of original grant is 1771, but this is clearly a clerical error, the Arabic year being the same as in the number immediately before it in the list, which has been correctly calculated to be 1741; and Mr. Elphinstone's remark is that it is "an indemnity for an ancient Jagheer."

20. Mr. Warden's lists were, under orders from Government, revised by his successor, Mr. Brown, and again submitted, with his letter No. 178, of the 26th October 1847. In these revised lists this Surinjam was entered as No. 20 of Class I., as shown in the following extract.

Number.	Name of Original Grantee.	Names of Present Incumbents.	No. in the List prepared in A. D. 1834.	Soobha in which the Surinjam is situated.	Name of the Village comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Ages of the Present Incumbents.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbents' Legitimate Male Issue.	The Tenure.	The reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
						Rs. a. p.		Years.	Rs.				
20	Nagoram.	Purshotum Rao Bulwunt,	No. 26 of Class I.	Ahmednuggur.	Wamoree.	14,089 15 6	A. D. 1741.	52	125	Balkrishn, 20 years; Venaik, 18 years; Ram Rao, 5 years.	Ditto.	In the Class of Mootsudees, No. 31.—Bulwunt Rao Nagnath. His father was a great man, but he was imprisoned by Nana Furnavese, and this Jagheer was given to him on his release by Bajee Rao. He is dead, but his sons are in possession. His sons are now the claimants, and are to receive the whole of the lands in their possession up to the war, with a proper provision for the rights of other proprietors in Wamoree. This was a grant of Bajee Rao's, but was an indemnity for an ancient Jagheer. Wamoree was also originally founded by the ancestors of these persons. Land;—hereditary.	In the original lists of 1834, recorded in the Agent's Office, the year of original grant is Esunay Arbain (A. D. 1771), but this is clearly a clerical error, the Arabic year being the the same as in the number immediately before it in the list, which has been correctly calculated to be A. D. 1741. A record in the Poona Duftur states that this Surinjamdar received the grant of lands in the year Khumus Arbain (A. D. 1744).
		and											
		Krishn Rao Bulwunt.						41	..	None.			

21. I have now shown how this Surinjam has been entered in the several documents which have been from first to last submitted to Government, and it remains only to explain the error which has been committed when Mr. Warden's lists of 1844 were framed, in altering A. D. 1771, the date of original grant assigned in the previous lists, to A. D. 1741, and thus bringing it within the rule laid down by the Honorable Court of Directors in their despatch of the 26th October 1842 as conferring an hereditary title.

22. The founder of the family, Nagoram, was a Silledar, to whom, by a Sunud, the registry of which is forthcoming in the State diary of the 13th Jummad-ool-Awul, Khumus Arbain Mya wu Ulluf (A. D. 1744-45), 60 beegas of land in the town of Wamoree were granted, on a *seven years' lease* (cowl), at a rate laid down, and the Government manager of Wamoree (Baboorao Huree) was, by a Sunud registered in the diary of the same date, ordered, after bringing the amount for which the land had been thus leased to account, to debit it under the head of "salary" (Budul Mooshahira) paid to Nagoram.

23. The first *Surinjam* which the State records show to have been held by Nagoram was a purely *military one*, consisting of "the Jagheer and Surdeshmookee Umuls of Moujé Vullud, Turuf Rahoree, Purguna Sungumnair."

24. The precise year in which these Umuls were granted I have as yet been unable to ascertain; but this is a matter of no consequence, as the accounts of management of the district show that they were *not* held by Nagoram, but by other parties as late as A. D. 1755-56 (Seet Khumsain); they must have been granted to Nagoram between that date and A. D. 1764-65, in which latter year the accounts show them to have been in his possession.

25. The grants subsequently made to *Nagoram* are shown below :—

Date of Registry of Sunud making the grant.	On what Tenure granted.	Names of Villages, &c. granted.
A. D. 1763–64–65–66	Military	Moujé Dound, Turuf Patus, Prant Poona.
A. D. 1767–68..	Ditto	Certain Umuls belonging to the Peshwa in the villages of thirty-six districts in the Nizam's territory.
A. D. 1769–70..	Ditto	The Jagheer Umul of Moujé Moongooswun, Turuf Manoor, Mamleh Beer.
A. D. 1770–71..	Service (Budul Mooshahira)....	Land in Moujé Nandgaum, Purguna Manikpoor.
A. D. 1777–78..	Military	Moujé Pimpree Augur, Turuf Rahoree, Purguna Sungumnair, exclusive of the Mokassa and Babtee Umuls.
A. D. 1781–82..	Personal	Moujé Jowkerreh, Purguna Shewgaum.

26. The second and third items shown in the last paragraph as having been granted in military Surinjam to Nagoram are proved by forthcoming registries of Sunuds, and by other State records, to have been resumed between A. D. 1796-97 and 1798-99.

27. The village of Dound (the first item in paragraph 25) is shown by forthcoming accounts of management to have passed from Nagoram's hands in A. D. 1766-67 (Suba Seetain), and not again to have been held by him.

28. The Umuls of the village of Vullud and the village of Pimpree Augur are shown by accounts of management to have been resumed and in the hands of the Government in A. D. 1808-09 (Teesa Myatain), and not again to have been alienated.

29. I have thus explained the history of the whole of the *military* Surinjam granted originally to *Nagoram,* subsequently held by his sons, and finally resumed by the Peshwa many years before the introduction of the British Government.

30. The town of Wamoree was first granted in Surinjam to Bulwunt Rao, the son of Nagoram, in A. D. 1798-99; but it was granted in *military* (Fouj) Surinjam, and not in lieu of, or in commutation for any former holding: the registry of the Sunud making the grant is forthcoming in the State diary of the 6th Zilhej, Teesa Teesain Mya wu Ulluf.

31. This grant was, however, three years afterwards (in A. D. 1801-02) converted into a personal holding by a Sunud the registry of which is forthcoming in the State diary of the 23rd Sufur, Esunay Myatain wu Ulluf.

32. It thus appears that no Surinjam at all was held by this family prior to A. D. 1756-57, and it remains to ascertain the grounds on which the Honorable Court of Directors have been apparently misinformed on this subject.

33. In Mr. Elphinstone's lists, this Surinjam was shown (see paragraph 6 of this letter) to have been held *for fifty years,* and in Messrs. Warden and Marriott's lists of 1834 (see paragraphs 16 and 17 of this letter), and in Mr. Mills' lists of 1838 A. D. 1771 (see paragraph 18 of this letter) was assigned as the date of original grant. It was in Mr. Warden's lists of 1844 that the first alteration was made, and the date of original grant entered as A. D. 1741, the explanation afforded being as follows :—

> "In the original lists of 1834, recorded in the Agent's Office, the year of original grant is 1771; but this is clearly a clerical error, the Arabic year being the same as in the number immediately before it in the list, which has been correctly calculated to be 1741, and Mr. Elphinstone's remark is that it is 'an indemnity for an ancient Jagheer.'"

34. I have referred to the *English* lists of 1834 recorded in the Agent's Office, and find that they contain no Arabic year at all, so that they *cannot* be the lists referred to.

35. The *Murathee* lists of 1834 recorded in the Agent's Office do, how-

ever, show the Arabic year, but it would appear that they must have been incorrectly represented to Mr. Warden, as in them "the Arabic year" assigned as the date of the original grant of this Surinjam is *not* "the same as in the number immediately before it in the list." In the number immediately before it in the list the Arabic year Esunay Arbain (इसने आर्बैन), corresponding with A. D. 1741-42, is entered; whereas in the next number, which is that of the Wamorekur's Surinjam, the Arabic year entered is Esunay Subain (इसने सबैन), corresponding with A. D. 1771-72.

36. But in these Murathee lists of 1834 not only is the Arabic year shown in letters, but *on the same line* the year of the Christian era is shown in figures, and in the two cases now under discussion these figures are not the same, but differ, just as the Arabic lettered dates do, the one from the other. In the number assigned to the Wamorekur's Surinjam the figures entered are 1771, while "in the number immediately before it in the list" 1741 are the figures to be found.

37. To illustrate more clearly what I have endeavoured in the last paragraph to describe, I append the following transcript of the portion of the Murathee lists referred to:—

हल्ली नंबर	पेशजीचा नंबर	जाहागीरदाराचें नाव	सरंजाम दिल्हा तें मूळ साल
२५	२१	विठ्ठल राव मल्हार पुरंदरे	इसने आर्बैन १७४१
२६	२९	पुरुषोत्तम बळवंत व कृष्ण	•
		राव बळवंत वामोरीकर.	इसने सबैन १७७१

38. The following is the English translation of this Murathee entry:—

Present No.	Former No.	Name of Jagheerdar.	Date of original grant of Surinjam.
25	21	Vittul Rao Mulhar Poorundhuree..	Esunay Arbain 1741.
26	29	Purshotum Bulwunt and Krishn Rao Bulwunt Wamorekur......	Esunay Subain 1771.

39. Under the circumstances I have explained in the last six paragraphs, I can only suppose that in this case fraud must be attributable to the Agent's subordinate establishment.

40. In the column of "Remarks" in Mr. Warden's lists of 1844 it is stated that "Mr. Elphinstone's remark is that it is 'an indemnity for an ancient Jagheer,'" and such is undoubtedly the case; but *more* than this is stated by Mr. Elphinstone, for in his lists the Surinjam is shown (see paragraph 6 of this letter) to have been held *for fifty years*, which brings its date of grant to a period much later than A. D. 1751.

41. It is certain that the Surinjam *now* in the possession of the Wamorekur family could not have been the one referred to by Mr. Elphinstone as having been held for fifty years; for *it* was granted, as I have stated in the 30th

paragraph of this letter, as late as A. D. 1798-99, and, therefore, had only been held for eighteen years when the war with the Peshwa broke out.

42. Among the Murathee papers relating to this Surinjam received from the Agent's Office, there is not one dated in A. D. 1741, nor is there one containing any allusion to any such document.

43. I now proceed to notice the entry of this Surinjam in Mr. Brown's revised lists, in which Mr. Warden's remarks, quoted in the 33rd paragraph of this letter, were preserved in part, with the following addition:—

"A record in the Poona Duftur states that this Surinjamdar received the grant of land in the year Khumus Arbain (A. D. 1744)."

44. With what intention this additional remark was inserted I am unable to understand, as in the 8th column of the *same entry* the date of original grant is shown to have been A. D. 1741. There is, however, as I have before stated in paragraph 42 of this letter, no document dated in A. D. 1741 to be found among the Murathee records relating to this Surinjam received from the Agent's Office.

45. Among these Murathee documents, however, is one referring to the *lease* of the 60 beegas of land in the town of Wamoree, granted in A. D. 1744. This is the *only* document which these papers contain referring to anything held, on any tenure, prior to A. D. 1751.

46. As far, then, as I have been able to ascertain, *the only* document referring, in any way, to anything held by Nagoram prior to A. D. 1751, which was before the Agent, Mr. Brown, when he prepared the revised lists, and when he entered in them a Surinjam of the value of Rs. 14,089-15-6 as granted *in* A. D. 1741, was one referring to a *small piece of Government land,* consisting of 60 beegas, the *lease* of which was granted to Nagoram in A. D. 1744-45, and for which rent was to be paid to the Government; the payment, however, being, as explained in the 22nd paragraph of this letter, a nominal one only, as the amount was afterwards to be debited in the Government manager's accounts, the person to whom the land was leased receiving it as his salary or as a portion of his salary, and this payment during the whole period of the lease (*seven years*) amounting altogether to no more than Rs. 217-8-0.

47. As a matter which, though not affecting the tenure on which this Surinjam should be held, does, nevertheless, bear upon the question of the necessity of a thorough scrutiny of the Surinjam lists, I should mention that the ages of the holders of the Surinjam and of their legitimate male offspring, entered in Mr. Warden's lists of 1844, were preserved in Mr. Brown's revised lists of 1847.

48. This Surinjam appears to be one which, under the Rules laid down by the Honorable Court, (paragraph 12 of Honorable Court's despatch No. 17, of the 26th October 1842,) is resumable after a second generation from the

conquest, a pensionary provision equal to half the net proceeds of the Surinjam being made for the generation next succeeding.

49. The Surinjam is still in the hands of the first generation. It was continued by the British Government to three brothers (Purushram, Purshotum, and Krishnarao), of whom one, Purushram, has died without male issue; another, Krishnarao, is an old and childless man; and the third, Purshotum, has several children: there arises, therefore, a question whether Purshotum and his children can claim an interest in more than one-third of the Surinjam. This question I have discussed in my reports Nos. 392 and 400, of the 17th and 20th August 1853.

50. The Murathee Surinjam lists of 1834, referred to in paragraphs 33 to 39 of this letter, are herewith forwarded for your inspection, and I shall be obliged by your returning them as early as convenient.

51. The Wamorekur family claim, in virtue of the Surinjam they hold, a sum amounting to between five and six hundred rupees per annum as compensation for loss sustained by the abolition of transit duties and certain cesses. Whether the payment from the public treasury to which they may be found entitled on this account should be an hereditary one or not is a question which the facts now brought to notice affect equally with the tenure on which the Surinjam is continuable.

52. It seems that the persons who hold this Surinjam were not required to state their claims in writing, nor to produce the documentary proof in their possession, either in 1844, when Mr. Warden's lists were framed, or in 1847, when they were revised by Mr. Brown. Among the Murathee papers received from the Agent's Office there is not a single document of the above description.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 2645.

Political Department.

From C. J. Manson, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Dated Kirkee, 19th October 1853.

Sir,—In handing up an original letter from Captain Cowper, No. 493, dated 19th October 1853, bringing to light a most serious error in connection with the Surinjam No. 29 of Class I. in the revised Surinjam lists, I beg to state

my opinion that there are good reasons for supposing that a disgraceful fraud must have been perpetrated in the Agent's Office, by which the public revenues would have suffered had not Captain Cowper's inquiries brought the matter to light.

2. I submit that various points in this case illustrate in a remarkable manner how little Government can depend on the accuracy of the revised Surinjam lists.

3. The question alluded to in paragraph 49 was reported on to Government in my letter No. 2461, dated 31st August 1853.

4. With reference to Captain Cowper's 50th paragraph, I beg to state that I have examined the Murathee lists, and therein the two sets of figures 1741 and 1771 are most distinctly set down with their corresponding Arabic years, as shown in paragraph 37.

I have the honour to be, &c.
(Signed) C. J. Manson,
Inam Commissioner.

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

London, January 30th, 1855.

Sir,—I have the honour to acknowledge the receipt of your letter No. 4689, dated 5th November 1853, on the Surinjam of the Wamorekur, being No. 20 Class I. of Mr. Brown's lists.

2. This reference involves a direct charge of deception, practised first on me, and, after my return to England, on Mr. Brown, my successor, by, as I am afraid, Bheemrao Ramajee, the Sheristedar, aided by those who professed to give us the information they gathered from the Duftur in respect to the ages of Surinjams.

3. On the receipt of your letter I suggested to the present Agent, Mr. LeGeyt, that paragraphs 22, 33, 34, 35, 36, 37, 39, 41, 42, 43, 44, 45, and 46 of Captain Cowper's letter dated October 19th, 1853, should be translated to Bheemrao, and to the present Sheristedar, who was the Assistant in the time of Mr. Brown and myself, with the remark that, even supposing the fact that the date which was given by me as A. D. 1741, which Captain Cowper says is in the Murathee actually and visibly A. D. 1771, can be explained, it would still remain to be shown how Mr. Brown converted A. D. 1741 into A. D. 1744.

4. Bheemrao having died about the time of my reference, the answer of the present Sheristedar, Vidyadhur Punt, could alone be obtained, which, together with his correction of one answer, and a statement by Raojee Pendsay,

the Karkoon who assisted in the preparation of Mr. Elphinstone's lists, and more or less revised the more recent ones, I have the honour to submit.

5. As I do not consider these answers satisfactory, I would beg to recommend to His Lordship in Council that the Surinjamdar be required to prove his title in the form of a trial, as recently ordered by the Government.

I have the honour to be, &c.

(Signed) JOHN WARDEN.

Translation of a Murathee Statement given by RAOJEE PENDSAY, *alias* GUNESH KRISHN PENDSAY, *in the case of the* WAMOREKUR.

The States of Soorapoor, Gudival, Adwanee, and Rayuchoor were situated on the frontier separating the territories of the Nizam from those of the Peshwa. Before the year Suman Seetain (A. D. 1767) tribute was not paid by these States, without making a forcible demand upon them. I have seen accounts dated in about Arba Khumsain (A. D. 1753), showing that when Nagoram Sirdar was sent with Government force he chastised these States and realized the Government tribute from them. I think that if search be made, accounts of a prior date will be discovered, but this will take some time. He was, however, in those days, a Sirdar receiving pecuniary allowance. Nagoram's service appears to have commenced from Teesa Sulaseen (A. D. 1738). In the year 1161 Fuslee (A. D. 1751) the village of Krishnapoor, in Purguna Pytun, was obtained (by Nagoram) in Inam from Nuwab Sulabjung. The Peshwa Ballajee Bajee Rao granted (him) the Swuraj Umul of that village in Inam in Sun Seet Khumsain (A. D. 1755). At that time even the Nizam feared Nagoram. When the Umul (share of revenue of a village or district) was not quietly paid (to the Peshwa), it was Nagoram who realized it, by making a forcible demand. He was such a brave, renowned, and dreadful man. He had two or three hundred troops of his own. Besides, he commanded the Government troops. After him Ramchunder Nagnath also made expeditions in the Nizam's territory, and commanded a body of horse. After him Bulwuntrao Nagnath also had a body of horse continued under his command. Thus (Wamorekur's) three ancestors were Sirdars.—*Dated* 12*th August.*

(Signed) GUNESH KRISHN PENDSAY.

Case of the WAMOREKUR.

Questions.	*Answers of Vidyadhur Purushram.*
Explain how the date of original grant, viz. A. D. 1771, was altered to A. D. 1741, and how Mr. Brown converted A. D. 1741 into A. D. 1744.	It appears that A. D. 1741 was assigned as the date of original grant by an oversight. Mr. Brown did not convert A. D. 1741 into A. D. 1744. He retained the same date which was assigned in the lists of 1844, and as there was a record in the Poona Duftur regarding the grant of land in the town of Wamoree in A. D. 1744, he entered the same in the column of remarks.
See the translation of paragraph 22nd of Captain Cowper's letter of 19th October 1853, and state what you know.	In Mr. Brown's Surinjam lists of 1847 mention is made of the grant of land in the town of Wamoree in A. D. 1744.
See the translation of paragraph 33 of Captain Cowper's letter, and state what you know.	I cannot give a satisfactory answer to this.
See the translation of paragraph 34 of Captain Cowper's letter, and state what you know.	What Captain Cowper states is correct.
See the translation of paragraph 35 of Captain Cowper's letter, and state what you know.	What Captain Cowper states is correct.
See the translation of paragraph 36 of Captain Cowper's letter, and state what you know.	Captain Cowper's statement is correct.
See the translation of paragraph 37 of Captain Cowper's letter, and give your answer.	The transcript appended to this paragraph is correct.
See the translation of paragraph 39 of Captain Cowper's letter, and give an answer.	I cannot give an answer to this.

See the translation of paragraph 41 of Captain Cowper's letter, and state what you know.	Mr. Elphinstone computed the years from A. D. 1768, in which year Nagoram, the founder of the family, was granted certain Umuls belonging to the Peshwa in the villages of thirty-six districts in the Nizam's territory, as shown by Captain Cowper in the 25th paragraph of his letter.
See the translation of paragraph 42 of Captain Cowper's letter, and state what you know.	Captain Cowper's statement is correct.
See the translation of paragraph 43 of Captain Cowper's letter, and give an answer.	What Captain Cowper writes is correct.
See the translation of paragraph 44 of Captain Cowper's letter, and state what you know.	Mr. Brown retained the same date which was given in the Surinjam lists of 1844, viz. A. D. 1741, and as there was a record in the Poona Duftur regarding the grant of land in the town of Wamoree in A. D. 1744, he mentioned the same in the column of remarks.
See the translation of paragraph 45 of Captain Cowper's letter, and give an answer.	Captain Cowper's statement is correct.
See the translation of paragraph 46 of Captain Cowper's letter, and state what you know.	Captain Cowper's statement is correct.
Explain how the date of original grant, viz. A. D. 1771, was altered to A. D. 1741, and how Mr. Brown converted A. D. 1741 into A. D. 1744.	Mr. Brown did not convert A. D. 1741 into A. D. 1744. He retained the same date which was assigned in the lists of 1844, and as there was a record in the Poona Duftur regarding the grant of land in the town of Wamoree in A. D. 1744, he entered the same in the column of remarks.

See the translation of paragraph 52 of Captain Cowper's letter, and state whether the Surinjamdars were or were not required to state their claims in writing, and to produce documentary proof before Mr. Brown and the Honorable Mr. Warden, and if so what is become of the documents?

The Surinjamdars were not required to state their claims in writing, nor to produce documentary proof, either in 1844 or in 1847.

Question.

In Mr. Elphinstone's lists of Jagheers the Surinjam of the Wamorekur is shown to have been held for fifty years, whereas the Surinjam now in the possession of the Wamorekur family was granted as late as A. D. 1798-99, and therefore had only been held for eighteen years when the war with the Peshwa broke out. State what you know about this.

Answer of Raojee Pendsay.

In Mr. Elphinstone's lists, this Surinjam is shown to have been held for fifty years. In regard to this I beg to state that the Wamorekur was granted by the Peshwa, as military Surinjam, certain Umuls of about Rs. 45,000, in about thirty-six Mahals in the Nizam's territory, &c. in the year Suman Seetain (A. D. 1767-68). When the Soobha of Bedur was ceded to the Nizam's Government, Mahals of Rs. 17,000 which formed a portion of the above were included in the cession. After the lapse of two years, which were required for the confirmation of Bajee Rao Saheb on the Musnud, the village of Wamoree was granted in military Surinjam in lieu of the amount (Rs. 17,000) lost in the cession. The Sunud (making the grant of Wamoree) does not state that it was granted in commutation (for what was lost in the cession), but it should be so inferred on the following grounds. The Wamorekur was previously deprived of eight Mahals included in his Surinjam. These Mahals, which were situated in the Soobha of Hyderabad, had belonged to the personal Jagheer of the Nuwab, who therefore obtained them back from the Peshwa in the year Khumus Subain (A. D. 1774-75). The Peshwa consequently granted to the Wamorekur in lieu thereof the Surdeshmookee of Talooka Ashtee, Purguna Pathree. Mr. Elphinstone considered that this was an evidence to show that what the Wamorekur had lost was made good by other grants, and as the village of Wamoree was (first) granted in military Surinjam, and as the revenue of this village was nearly equal to that of the (military) Surinjam lost, Mr. Elphinstone concluded that the village of

Wamoree was granted as an indemnity, and he therefore stated that the Surinjam had been held for fifty years.

No. 5050 of 1855.

POLITICAL DEPARTMENT.

To Captain T. A. COWPER,
Inam Commissioner Northern Division, Poona.

SIR,—Referring to Mr. Manson's letter, No. 2461, dated the 31st August 1853, and to your report, No. 78, dated the 19th January last, relative to the Surinjam of the late Purshotum Rao Bulwunt Wamoreekur, I am directed by the Right Honorable the Governor in Council to transmit for your information and guidance copy of a resolution passed in this case by Government, under date the 17th ultimo.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 6th December 1855.

Resolution passed by Government under date 17th November 1855.

In the case of the Surinjam No. 20 of Class I., entered in the names of Purshotum Rao Bulwunt and Krishna Rao Bulwunt, two questions arise for consideration,—

I.—Was the Surinjam rightly placed in the First Class, or should it have been placed in the Second Class?

II.—How, with reference to general principles and to former acts of the Government, is the succession to this particular Surinjam to be arranged.

2. The present Surinjam consists of the town of Wamoree, in the Ahmednuggur Collectorate, and some land in the village of Nandgaum, in the Khandeish Collectorate. These were granted by the Peshwa Bajee Rao to Bulwunt Rao, the father of Purshotum Rao and Krishna Rao, in 1798-99, as a military Surinjam, and the grant was in 1801-02 converted into a personal Surinjam. In Mr. Elphinstone's lists it is, however, stated that the grant was made "as an indemnity for an ancient Jagheer." In another column of the same lists, the family is stated to have been in possession for fifty years. This remark, it may be observed, must apply to the ancient Jagheer, as the actual Surinjam entered in the list was only a grant of Bajee Rao's.

3. In the lists prepared by Mr. Warden and revised by Mr. Marriott, the original grant was entered as a grant of A. D. 1771.

4. In Mr. Warden's lists of 1844, this date of A. D. 1771 is stated *to be a clerical error for* A. D. 1741, the Arabic year being the same as in the number immediately before it in the list, which has been correctly calculated to be 1741. In Mr. Brown's lists of 1847, this remark of Mr. Warden's is preserved, with the contradictory addition that "*the Poona Duftur states that this Surinjamdar received the grant of lands in the year Khumus Arbain* (A. D. 1744)."

5. It will save time at once to state that Mr. Warden's remark as to the Arabic year was erroneous. The Arabic year in the number immediately preceding was *Esunay Arbain* (A. D. 1741). The Arabic year in the entry now under discussion was *Esunay Subain* (A. D. 1771). Mr. Warden must have been misled by similarity of sound.

6. Next, as to Mr. Brown's list,—placing aside the extraordinary laxity of a statement which in one sentence declares the date of a grant to be A. D. 1741, and in the next sentence asserts that the best authority, the Poona Duftur, fixes the grant as one of A. D. 1744, it is necessary to inquire whether the second assertion, the first having been briefly and conclusively disposed of, conveys a correct statement of the facts.

7. Captain Cowper has very carefully shown that all the Surinjams, military or personal, granted to this family, were granted subsequently to the year 1751. This fact is consistent with the Honorable Mr. Elphinstone's statement, written in the year 1819, that the family had had possession for fifty years. It remains to be examined what was the grant of 1744 entered in the Poona Duftur, to which allusion was made by Mr. Brown.

8. The only document which can be traced in the Poona Duftur, connected even in a remote degree with the present discussion, is a Sunud of 1744, granting to Nagoram, the ancestor of the present holders, the lease for seven years of 60 beegas of land in the town of Wamoree. The Government manager was, it appears, also ordered, after bringing the amount for which the land was leased to account, to debit it under the head of salary to Nagoram, who was a Silledar.

9. It will be observed,—1*st*, that this grant was obviously not a Surinjam, but a temporary assignment in lieu of salary; 2*nd*, that even if for the sake of argument it be admitted to be a Surinjam, the question would remain whether a grant of about Rs. 33 per annum before A. D. 1751* is to bind the British Government to continue a Surinjam of Rs. 15,000 per annum granted after A. D. 1751 as hereditary in the fullest sense of the word. To answer this

* Rs. 217 in seven years. (Vide 46th paragraph of Captain Cowper's report.)

question in the affirmative would be a course opposed to common sense and to the specific orders of the Honorable Court.

10. The Right Honorable the Governor in Council has, therefore, no hesitation in deciding that this Surinjam was erroneously entered in the First Class, and that it ought to have been entered, and should now be entered in the Second Class, viz. those which are to be continued for two generations, with a pension to the third generation.

11. This case was referred to Mr. Warden for explanation, and that gentleman, in his reply dated 30th January 1855, virtually admits that a deceit has been practised.

12. The second question, as to the manner in which the succession to this particular Surinjam is to be arranged, remains for consideration.

13. When the Surinjam was first under consideration, although nominally entered by Mr. Elphinstone as the Surinjam of Bulwunt Rao Nagnath, that Sirdar was dead, and the grantees were his sons, Purushram, Purshotum, and Balkrishna. Of these, the eldest, Purushram, died in 1828, and in 1829 it was decided in the Revenue Department—"that no portion of the village of Wamooree could, under a liberal construction of the Sunud, granting it in Zât Surinjam to the children of Bulwunt, be resumed by Government," and accordingly the share of Purushram was continued to his remaining brothers.

14. This decision was not in accordance with practice. The holding would, under the usual custom, have either been regarded as a single possession, and have been entered in the name of the eldest brother, or it would have been held to constitute three distinct Surinjams, to have been dealt with separately. As, however, the Government in 1829 arrived at a different conclusion, the implied pledge of that term must be fulfilled, and the succession must be regulated with reference to that decision.

15. On the death of Purushram without issue, the Surinjam was continued to his brothers Purshotum and Krishna Rao. Purshotum is now dead, leaving three sons. How is the succession to be arranged with reference to the claims of Purshotum's sons and their uncle Krishna Rao on the one side, and the rights of Government on the other ?

16. The three sons of Bulwunt Rao must be held to constitute the first generation. Purshotum's eldest son Balkrishna must be held to constitute the second generation. Of the first generation, (under the particular orders of Government in this case,) the youngest brother, Krishna Rao, remains. He must, therefore, take one-half share of the Surinjam,—namely his own third share,—and one-half of the third share of his eldest brother, Purushram. Balkrishna should now receive one-half of the Surinjam,—namely the third share of his father, the late Purshotum,—and one-half of the share of his uncle, Purushram. On the death of his uncle Krishna Rao, he should succeed to

the remaining half of the Surinjam. The continuance of the Surinjam to two generations would thus be satisfied. On the death of Balkrishna, the eldest son of Purshotum, the Surinjam would lapse to Government, and a pension would be granted to the third generation (*i. e.* supposing him, as is natural, to survive his uncle, Krishna Rao).

17. This arrangement appears to the Right Honorable the Governor in Council to be the most simple and the most just. It is, of course, liable to technical objection: for instance, it might be argued, that under the orders of 1829, Purshotum's son cannot take any part of the Surinjam during the life-time of Krishna Rao (*i. e.* that the three lives of the first generation must be regarded as one life, which life still exists in Krishna Rao). Into these, and other similar objections, the Right Honorable the Governor in Council does not deem it necessary to enter, being clearly of opinion that the arrangement detailed in the 16th paragraph is in a peculiar case, as before stated, the simplest and the most just that could be concluded.

APPENDIX H.

No. 322 of 1852.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, 15th September 1852.

Sir,—My inquiries into some cases referred for investigation have incidentally brought under notice several of the Surinjam holdings included in the lists lately revised, and have induced me to believe that in some instances, at any rate, most serious error has been committed in framing these lists, and that large Surinjams have been reported as of an hereditary nature, which, under the orders of the Court of Directors on which the lists were framed, have no claim whatever to be included as such.

2. One case, and the one to which I will now confine myself, has occurred with regard to the Surinjam of Krishna Rao Neelkunt Moozumdar, entered as No. 47 of Class I. (*i. e.* hereditary), and valued in the lists at Rs. 11,504-9-11. A few days ago, while perusing the letter books of the Amanutdars who nearly twenty years ago were in charge of the Peshwas' records, my attention was attracted to an abstract of evidence furnished by them, relating to the village of Walkee, in the Nuggur Collectorate, which forms a portion of the Moozumdar's Surinjam. The Amanutdars' abstract referred to the registry of the Sunud granting Walkee as "Budul Mooshahira" in A. D. 1756.

3. It at once occurred to me that I had seen the Moozumdar's Surinjam entered in the lists as an hereditary one (*i. e.* one granted previous to A. D. 1751), and so it has turned out to be the case; the reasons assigned in the lists being—"There exists a record in the Poona Duftur which speaks of the grant of this Surinjam in the year Eeheday Khumsain (A. D. 1750)."

4. I have referred to the Peshwas' diaries, and obtained a copy of the registry of the Sunud referred to in my 2nd paragraph: the registry distinctly states Walkee to have been granted in A. D. 1756, as "Budul Mooshahira," and not in lieu of any previous grant.

5. Under these circumstances, there seems such a good *primâ facie* case for

supposing that a portion of the Moozumdar's Surinjam—and a very large portion too, as Walkee is valued at nine out of the eleven thousand rupees, (the value of the whole Surinjam—vide paragraph 2,)—was not granted in 1750, as recorded in the Agent's lists, that I have thought it right not to delay a reference to you, in case you should deem it advisable to submit this report for the orders of Government.

I have the honour to be, &c.

(Signed) T. A. COWPER, Captain,
Assistant Inam Commissioner.

No. 1080.

Dated Poona, 16th September 1852.

Captain Cowper's letter No. 322, dated 15th September 1852, is submitted for the orders of Government as to whether or not the Moozumdar's tenure of Walkee should be inquired into by this department. The Inam Commissioner has already had occasion to place on record his suspicion of the faultiness of the Surinjam lists in some cases, (Inam Commissioner's letters to Government, Nos. 939 and 952, dated respectively the 17th and 21st August 1852,) by which Government are likely to suffer great permanent loss, if no steps are taken for the correction of errors. The present discovery by Captain Cowper, therefore, has not surprised the Inam Commissioner, though it will most likely both surprise and disappoint Government and the Court of Directors, who have imagined those lists to be worthy of confidence.

(Signed) W. HART,
Inam Commissioner.

No. 3408 OF 1853.

POLITICAL DEPARTMENT.

To C. J. MANSON, Esq.,
Inam Commissioner.

SIR,—With reference to my letter No. 4831, dated the 5th November 1852, I am directed by the Right Honorable the Governor in Council to transmit for your information an extract, paragraph 21, from a despatch from the Honorable the Court of Directors, No. 27, dated the 18th May last, and to state that Government awaits a further report from you on the case of Krishna Rao Neelkunt Moozumdar.

I have the honour to be, &c.

(Signed) A. MALET,
Chief Secretary.

Bombay Castle, 4th August 1853.

Extract Paragraph 21 from a Despatch from the Honorable the Court of Directors, dated the 18th May, No. 27 of 1853.

Para. 21. We regret to observe that Mr. Hart's impression of the incorrectness of the information on which the Surinjam lists were framed is apparently confirmed by another instance, that of Krishna Rao Neelkunt Moozumdar, the greater part of whose estate appears from the Peshwas' records to have been granted in 1756, and not, as the lists state, in 1750. This, and all similar cases, should be referred to Mr. Warden for explanation and report.

No. 497 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Poona, 22nd October 1853.

Chief Secretary's letter No. 3408, of the 4th August 1853, and Inam Commissioner's memorandum No. 2372, of the 12th idem.

Sir,—Agreeably to the instructions noted in the margin, and with reference to the previous correspondence on the subject, I have the honour to submit a report upon the Surinjam entered as No. 47 of Class I. in the revised lists of Surinjams forwarded to Government on the 26th October 1847 by the Agent for Sirdars, Mr. Brown.

2. The entry in Mr. McDonnell's memorandum on Jagheers regarding this Surinjam was as follows:—

"No. 6.—Tatia Moozumdar.—Exd.

" *Ahmednuggur.*

Moujé Walkee, Purguna Panday Purgaum	Rs.	10,249	8	0
Pimpree, Turuf Ganjee Bhoeeree, Mokassa Umul ..		381	0	0
Wudnair, Turuf Ganjee Bhoeeree, Mokassa		390	0	0
Total in Ahmednuggur....	Rs.	11,020	8	0

" *Poona.*

Moujé Wudewlé, Turuf Naney Mawul, half the produce	Rs.	109	10½	
18 beegas of land, Kusba Poona		18	0	0
7 beegas of ditto, Moujé Dhandree, Turuf Havailee.		31	0	0
Mokassa and Babtee, Moujé Manjree, Turuf Havailee, Prant Poona		500	0	0

Dalimbh, Turuf Sundas, Prant Poona, Mokassa....	Rs.	151	10	0
Bhowrapoor, Turuf Sundas, Prant Poona, Mokassa.		77	10	0
Total in Poona....	Rs.	887	14½	
" *Khandeish.*				
Moujé Tamboley Boodrook, Purguna Chaleesgaum.	Rs.	1,143	2	0
Rookday, Purguna Chaleesgaum		464	9	0
Bhanaygaum, Purguna Chaleesgaum..............		685	5	0
Total in Khandeish....	Rs.	2,293	0	0
Grand Total Jagheer....	Rs.	14,201	6½	
" INAM.				
" *Ahmednuggur.*				
80 beegas of land of Kusba Soopeh	Rs.	30	0	0
" *Poona.*				
Moujé Bopkhél, Turuf Havailee..................	Rs.	695	1	0
Total Inam....	Rs.	725	1	0
Grand Total....	Rs.	14,926	7½	

" *Note.*—The Mokassa and Babtee Umuls of Manjree, in the Poona Soobha, amount to Rs. 783-2-0, out of which sum the Government have Rs. 283-2-0, and the remainder, Rs. 500, goes to Tatia Moozumdar, as shown on the other side.

" The Surdeshmookee, Babtee, and Mokassa Umuls of Tamboley, Rookday, and Bhanaygaum, in Khandeish, amount to Rs. 1,228-7-0, and belong to Government.

" 6. The Duftur and district accounts, with his statement, all agree as to the sources, with the exception of Rs. 30 of land in Wanké, Ahmednuggur district, claimed by the Mootsudees, but not shown in either of the others. The collections in Ahmednuggur amount to Rs. 5,595-2-0; in Khandeish Rs. 150-9½; Rookday is stated to be deserted. The villages in Chaleesgaum are stated in Captain Briggs' *English* statement as Inam; they are down, however, in the Murathee papers, of which the other is a translation, as Surinjam, as which the Mootsudee himself also claims them. His fees, pay, &c. he says amounted to Rs. 54,884. He had also the village of Nidhowlee in Inam from Angria, which he resumed last year, and he prays interference in getting it restored to him."

3. In Mr. Elphinstone's lists of Jagheers forwarded by him to the Supreme Government on the 25th October 1819, the " Surinjam to be continued

to Tatia Moozumdar" was entered as No. 6 in the Class of Mootsudees; the following is an extract from the lists:—

Number.	Name.	Class.	Remarks.	Decision.	Total Amount of the Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.	Jagheer, or Yearly Allowance to be continued. Estimated real Value at present.	Jagheer, or Yearly Allowance to be continued. Pecuniary Pension.	For what Period recommended.
					Rs.		Rs. a.	Rs. a.		
6	Tatia Moozumdar.	Mootsudees.	He is a great officer of the Rajas' time, and has always held this allowance.	To receive the whole of his Jagheer; he is an ancient officer of the Rajas, and was in possession of great emoluments before the war.—Land.	14,201	65	14,201 6½	6,383 3½	..	Hereditary.

4. With a letter No. 121, dated the 28th October 1822, Mr. Chaplin, who had succeeded Mr. Elphinstone as Commissioner in the Deccan, submitted to the Bombay Government a "register" of restored personal Jagheers, showing this Surinjam to have been restored to Naro Neelkunt Tatia Moozumdar; the entry in the register is below extracted:—

Number.	As per Lists sent to Calcutta.	Amount. Kumal.	Amount. Akar, estimated Value.	Amount. Nemnook, or Pecuniary Allowance.	Restored to the undernamed individuals, who were the actual Incumbents, and are either the same as those named in the Original Lists or their immediate Relations, as explained below.	Amount. Kumal.	Amount. Akar, present Produce.	Amount. Nemnook, or Pecuniary Allowance.	Remarks.
	Mootsudees.	Rs. a.	Rs. a.	Rs.		Rs. a.	Rs. a.	Rs.	
6	Tatia Moozumdar.	14,201 6½	6,383 3½	..	Naro Neelkunt Tatia Moozumdar.	14,136 6½	7,723 1	..	Some alteration made on investigation.

5. In the lists framed by the Deputy Agent for Sirdars, Mr. Warden, in 1834, the Surinjam was entered, as No. 7 of Class I., in the name of Krishna Rao Neelkunt, the grandson of the former incumbent, who had died on the 19th April 1833, and as his son, Neelkunt Rao, had died before his father, Government sanctioned (Chief Secretary's letter No. 961, of the 22nd June 1833) the continuance of the Surinjam to the grandson. In these lists, A. D. 1755 was entered as the date of original grant of the Surinjam, the estimated real value of which was shown to be Rs. 7,723-6-0.

6. The revision by the Agent, Mr. Marriott, of his Deputy's lists, did not affect the above entry in regard to either the date of grant or the value of the Surinjam. The number was altered, and became 24 of Class I.

7. In the lists framed in 1840 by Mr. Mills, the Agent for Sirdars, the Surinjam was entered as No. 27 of Class I.; the date of original grant (A. D. 1755) which had been assigned to the holding in the lists of 1834 was preserved; and the estimated real value was shown to be the same.

8. The principles on which Mr. Mills had framed his lists were pronounced by the Honorable the Court of Directors to be erroneous, and at variance with their intentions; they, consequently, in a despatch, No. 17, of the 26th October 1842, directed that new lists should be prepared under the following Rules :—

I. (Paragraph 9 of Honorable Court's despatch.)—"That all Jagheers in Class I. of Mr. Mills' list which bear dates anterior to 1751 be, as Mr. Elphinstone recommends, hereditary in the fullest sense of the word, together with those of which the dates are unknown, but which are known to be ancient."

II. (Paragraph 10 of Honorable Court's despatch.)—"In addition to these ancient Jagheers, all those of more recent date which were granted in commutation for the resumption of more ancient possessions (which is known to have been the case with some) are entitled in like manner to an hereditary tenure."

III. (Paragraph 12 of Honorable Court's despatch.)—That "with regard to Surinjam grants bearing date subsequent to 1751, resumption after a second generation from the conquest, making a pensionary provision equal to half the net proceeds of the Surinjam lands for the generation next succeeding, should be the general rule."

IV. (Paragraph 12 of Honorable Court's despatch.)—That "cases in which Mr. Elphinstone may have recommended 'a more extended provision' should be separately and specially considered, as also any other cases deemed to require such consideration."

9. In 1844 Mr. Warden, the Agent for Sirdars, submitted lists framed on the principles laid down by the Honorable Court, and in these lists the

Surinjam of Krishna Rao Neelkunt Moozumdar was entered as No. 46 of Class I.; A. D. 1750 was assigned as the date of original grant, but in the column of "Remarks" the following explanation was afforded:—

"The date of this grant given in the lists of 1834 is A. D. 1755, the year in which the bulk of the Surinjam was granted; but as it appears that the Surinjamdar's family received the village of Wudewlé in 1750, he has been allowed the benefit of this early grant in the insertion of his estate in this class."

The following is a complete extract from Mr. Warden's lists.

Number.	Name of Original Grantee.	Name of Present Incumbent.	Soobhas in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village. Rs.	a.	p.	Date of Original Grant, as ascertained, from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Remarks.
					Rs.	a.	p.	A. D.		Rs.			
46	Naro Gungadhur Moozumdar.	Krishna Rao Neelkunt Moozumdar.	Poona.	Wudewlé	109	10	6	1750.	32 years.	1,552	None.	Ditto.	The date of this grant given in the list of 1834 is A. D. 1755, the year in which the bulk of the Surinjam was granted; but as it appears that the Surinjamdar's family received the village of Wudewlé in 1750, he has been allowed the benefit of this early grant in the insertion of his estate in this class.
				Manjree Boodrook	500	0	0						
				Dhalimb	151	10	0						
				Bhowrapoor	77	10	0						
				Land in Kusba Poona	18	0	0						
				Land in the village of Dhanoree	31	0	0						
				Total....	887	14	6						
			Ahmednuggur.	Walkee	9,831	9	8						
				Pimpree Julsein	324	0	0						
				Wudnair Khoord	167	7	0						
				Total....	10,323	0	8						
			Khandeish.	Tamboley, Rookday, Bhanaygaum	293	10	9						
				Grand Total ...	11,504	9	11						

10. Mr. Warden's lists were sent for revision to his successor, Mr. Brown, with the Chief Secretary's letter No. 1896 of the 9th May 1846, and in this letter one of the points to which Mr. Brown's attention was specially directed was the principle which Mr. Warden had applied to the Moozumdar's Surinjam, of considering the whole of an estate entitled to hereditary continuance because a very small portion of it had been granted before A. D. 1751.

11. The same thing had been done with regard to the Surinjam of the Rastia family, and Government, in noticing this, observed (paragraph 8 of Chief Secretary's letter),—

"In the statement prepared by Mr. Marriott and Mr. Warden in 1834, this Surinjam is entered as having been granted to the Rastia family in the year 1763; but Mr. Warden now states that this is an error, and that it was granted in the year 1746. This point is of considerable importance, since, if the latter be the correct date, this Surinjam will, under the recent orders from the Honorable Court, become an hereditary grant, but in the former case it will be resumable after a second generation from the conquest, a pensionary provision equal to a moiety of half the net proceeds of the Surinjam being granted to the generation next succeeding. Mr. Warden, in explanation of his having entered this grant in his present statement as having been originally conferred in the year 1746, instead of 1763, observes:—'In the lists prepared in 1834 the date of the original grant is stated to be 1763, which was the year in which this family received the bulk of its Surinjam, namely ten lakhs of rupees per annum; but during the present researches, two grants—namely of the villages of Mohokul and Ikolee—have been discovered, bearing the date herein given (1746).' The two villages referred to produce a total annual revenue of Rs. 1,201-8-6, which bears a very trifling proportion to the entire Surinjam, which consists of thirty-nine villages, of the annual value of Rs. 62,212-14-3. Before, therefore, it can be admitted that the whole of this grant was made, as now alleged by Mr. Warden, in the year 1746, instead of 1763, as entered in the previous statements, it will be requisite that equally clear and satisfactory proof be afforded in regard to each of the other thirty-seven villages as in the case of the two villages above alluded to."

12. In Mr. Warden's lists the value of the whole of the Moozumdar's Surinjam had been shown at Rs. 11,504-9-11, while the value assigned to Wudewlé, the grant of which in 1750 Mr. Warden had assigned (see paragraph 9 of this letter) as his reason for entering the whole estate in the class of hereditary Surinjams, was no more than Rs. 109-10-6, or less than *one-hundredth part* of the entire value of the Surinjam.

13. In the 15th paragraph of the Chief Secretary's letter, Mr. Brown's

attention was still further directed to the necessity of correctly ascertaining the date of grant of each holding; Government observed :—

"Having now noticed such of the Surinjams in Class I. in regard to which further precise information is required, I am desired to point out in what respects this list is generally defective, and to request that you will be pleased to prepare an amended list containing the following additional information.

"2. Under the column headed 'Remarks,' clear and detailed information should, in each case, be given in regard to the proofs which exist of the Surinjam having been granted to the family of this holder from the date alleged: in all cases in which you are not perfectly satisfied of the correctness of the alleged date of grant, you are requested to state your reasons for entertaining such doubt."

14. Such were the instructions under which Mr. Brown, on the 26th October 1847, submitted to Government revised lists in which, as No. 47 of Class I., *the whole Surinjam* of Krishna Rao Neelkunt Moozumdar was entered as a grant of A. D. 1750. Not only were the very distinct instructions of Government which I have just quoted (see paragraphs 10, 11, 12, and 13 of this letter) disregarded, but the remarks in Mr. Warden's lists which explained (see paragraph 19 of this letter) how the case stood, *were expunged*, and the following substituted :—

"There exists a record in the Poona Duftur, which speaks of the grant of this Surinjam in the year Eeheday Khumsain (A. D. 1750)."

(A complete extract from the revised lists will be found on the next page.)

15. These facts were not before me when, on the 15th September 1852, I reported in my letter No. 322 that the date of grant of the larger portion of this Surinjam had, apparently, been erroneously entered in the revised lists; it is only now, on going thoroughly into the case, that I find the erroneous entry to have been made under circumstances which it is not for me to characterise,—I have endeavoured to state them correctly and clearly, and I hope that I have succeeded in doing so.

16. The Surinjamdar does not appear in this case to have been called upon to make any written statement of his claims, nor to produce the documentary proof in his possession in support of them, as among the Murathee papers received from the Agent for Sirdars nothing of the kind is forthcoming.

Number.	Name of Original Grantee.	Name of Present Incumbent.	No. in the List prepared in A. D. 1834.	Soobhas in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissoiner in the Deccan.	Remarks.
						Rs. a. p.	A. D.		Rs.				
47	Naro Gungadhur Moozumdar.	Krishna Rao Neelkunt Moozumdar.	No. 24 of Class I.	Poona.	Wudewlé	109 10 6	1750.	32 years.	1,552	Neelkunt Rao, 2 years.	Ditto.	Class of Mootsudees, No. 6.—He is a great officer of the Rajas' time, and has always held this allowance. To receive the whole of his Jagheer. He is an ancient officer of the Rajas, and was in possession of great emoluments before the war. Land; hereditary.	There exists a record in the Poona Duftur which speaks of the grant of this Surinjam in the year Eeheday Khumsain (A. D. 1750).
					Manjree Boodrook	500 0 0							
					Dhalimb	151 10 0							
					Bhowrapoor............	77 10 0							
					Land in the Kusba of Poona.	18 0 0							
					Land in the village of Dhanoree	31 0 0							
					Total ...	887 14 6							
				Ahmednuggur.	Walkee................	9,831 9 8							
					Pimpree Julsein	324 0 0							
					Wudnair Khoord........	167 7 0							
					Total ...	10,323 0 8							
				Khandeish.	Tamboley, Rookday, and Bhanaygaum	293 10 9							
					Grand Total....	11,504 9 11							

17. The items of which the Surinjam was composed, according to the lists of 1844 and the revised lists of 1847, are below entered at the valuation which was assigned to them, and I have added a column showing the correct date of grant:—

Date of Original Grant.	Items.	Value assigned in Lists of 1844 & Revised Lists of 1847. Rs.	a.	p.	Remarks.
Before A. D. 1751...	The Mokassa Umul, and a portion of the Zilla Bab and Foujdaree Umuls of the village of Pimpree Julsein, Nuggur Collectorate	324	0	0	
	The Mokassa Umul, and a portion of the Jagheer and Zilla Bab Umuls of the village of Wudnair Khoord, Nuggur Collectorate	167	7	0	
	The Mokassa Umul of the village of Wudewlé, Poona Collectorate	109	10	6	
	Land in the village of Dhanoree, Poona ditto	31	0	0	
	Total value of grants made before A. D. 1751	632	1	6	
A. D. 1752-53...	Land in the city of Poona	18	0	0	
A. D. 1755-56...	The town of Walkee, Nuggur Collectorate	9,831	9	8	
A. D. 1757-58.	The Mokassa and Babtee Umuls of the village of Manjree, Poona Collectorate	500	0	0	
A. D. 1759-60*	The Mokassa Umul of the village of Dhalimb, Poona Collectorate......	151	10	0	* See paragraphs 21 to 23 of this letter.
	Ditto ditto of the village of Bhowrapoor, ditto ditto	77	10	0	
A. D. 1765 ..	The Jagheer Umul of the village of Tamboley Boodrook, Khandeish Collectorate .... Ditto ditto of ditto of Rookday do. do. Ditto do. of do. of Bhanaygaum do. do.	293	10	9	
	Total value of grants made subsequently to A. D. 1751............	10,872	8	5	
	Total value of Surinjam.. Rs.	11,504	9	11	

18. The exact date of grant of the first three items specified in paragraph 17 has not been discovered, but letters of injunction (Takeed Putru) and other documents, either dated before A. D. 1751 or distinctly referring to the holding as having been in the possession of the Moozumdar prior to that year, have been found among the records of the Peshwas' Government.

19. The fourth item, land in the village of Dhanoree, was granted in

A. D. 1794-95, but it was in commutation for land previously held in the city of Poona, and which had been granted before A. D. 1751.

20. Registries of Sunuds granting the fifth, sixth, and seventh items are forthcoming in the State diaries and ledgers, and show them to have been new grants, and not grants made in lieu of, or in commutation for anything held previously.

21. The eighth and ninth items, the Mokassa Umuls of the villages of Dhalimb and Bhowrapoor, were not originally granted by the Peshwa, in whose accounts they are entered up to A. D. 1758-59 as alienated, the former to Yeshwunt Rao Bhoslay, and the latter to Ramchunder Damodhur; the first entry in the Moozumdar's name is found in an account for A. D. 1763-64, in which the Umuls are shown to have been then held by him from the two parties above named, so that the transfer apparently took place at some period between A. D. 1759-60 and 1763-64.

22. Neither Yeshwunt Rao Bhoslay nor Ramchunder Damodhur possessed authority to alienate the public revenue, so that in these two instances, and in all similar cases, the date of grant must, I presume, be held to be that on which the transfer became an authorised one, either by its entry in authentic accounts of the Government or by its specific recognition by competent authority; and even the absence of any such entry or recognition must, I apprehend, be construed in favour of the claimant, unless proof to the contrary should be forthcoming.

23. Applying this principle to the Mokassa Umul of each of the two villages of Dhalimb and Bhowrapoor, the grants have been considered to have been made in A. D. 1759-60, because there is no proof that *after* that year they were *not* authorisedly held by the Moozumdar.

24. The question discussed in the last four paragraphs is, however, one on which no decision has, as far as I am aware, been ever passed by the Government; and if so, it seems very desirable that a definite rule should be laid down.

25. The tenth, eleventh, and twelfth items were granted by the Moguls in A. D. 1768, by a Sunud which was confirmed by the Peshwa in A. D. 1774-75.

26. It thus appears that out of the twelve items entered in the revised lists at a valuation of Rs. 11,504-9-11, only four, valued at Rs. 632-1-6 (see paragraphs 18 and 19 of this letter), or about *one-eighteenth* part of the Surinjam, are, under the Rules laid down by the Honorable Court of Directors, continuable on hereditary tenure; the remaining portion, of the value of Rs. 10,872-8-5 (see paragraphs 20 to 25 of this letter), being continuable for two generations, with a pensionary provision to the generation next succeeding.

27. The present incumbent, Krishna Rao Neelkunt, is the second holder of

the Surinjam since the introduction of the British Government, but is the third generation since that period (see paragraph 5 of this letter). On this subject the orders of the Honorable the Court of Directors, conveyed in the 12th paragraph of their despatch No. 29 dated the 31st October 1849, are below quoted:—

"13. The Surinjam, valued at Rs. 1,151 per annum, in the Ahmednuggur Collectorate, held by the late Byherjee Moolee, authorised to be continued for life to the grandson of the deceased.

"12. This estate, under the Rules laid down by us, was to be continued for two generations, of which the deceased Byherjee Moolee counts as the first, and his son Nagojee, who died before him, would, if he had survived, have counted as the second: in these circumstances the admission of a third generation, on failure of a second, was a very liberal interpretation of our orders, which we shall not interfere with in the present case, but which must not be considered as a rule for the future: you should be determined, in granting or withholding such an indulgence, by the circumstances of the case."

28. An account of the Peshwa's debts framed in A. D. 1767-68 shows that the office of Moozumdar had been in A. D. 1762-63 conferred on Baboo Dixit Putwurdhun, in consideration of his having lent to the Peshwa two lakhs of rupees. Although this account does not show the official Surinjam to have been transferred with the office, there can be little doubt that it was so, as it was restored in A. D. 1766-67 to Naro Neelkunt, the grandfather of the present incumbent, by a Sunud the registry of which is forthcoming in the State records.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 2670.

Political Department.

From C. J. Manson, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government.

Dated Kirkee, 24th October 1853.

Sir,—With reference to my letter No. 2645 dated 19th instant, and original accompaniment, relative to the Surinjam No. 20 of Class I., in which I ventured to state how little Government can depend on the accuracy of the revised Surinjam lists, I have the honour to submit another original letter,

No. 497 dated 22nd instant, from my Assistant, Captain Cowper, regarding the Surinjam of Krishna Rao Neelkunt Moozumdar, No. 47 of Class I.

2. The only conclusion at which I can arrive, after perusing the first fourteen paragraphs, is that a gross fraud was practised upon Mr. Brown; otherwise, he could never have departed so widely from the pointed instructions laid down for his guidance in this very case.

3. I beg to express my opinion that, for the reasons given in paragraph 22, Captain Cowper has rightly fixed the year A. D. 1759-60 as the one in which the grants of the Mokassa Umuls of each of the villages of Dhalimb and Bhowrapoor were made to the Moozumdar's family.

4. The result of Captain Cowper's investigation is to prove that out of the whole Surinjam of Rs. 11,504-9-11, about *one-eighteenth* part only, valued at Rs. 632-1-6, was actually or constructively acquired before A. D. 1751, and is, therefore, continuable on hereditary tenure, whilst the remaining portion, of the value of Rs. 10,872-8-5, is "continuable only for two generations, with a pensionary provision to the generation next succeeding" (see paragraph 26), and not on hereditary tenure also, as Government had been led to suppose.

5. The second generation has already passed away, and it remains for Government to decide what their intentions are with regard to the present incumbent, who, although of the third generation, is only the *second holder* of the Surinjam (see paragraph 27).

I have the honour to be, &c.

(Signed) C. J. MANSON,
Inam Commissioner.

POLITICAL DEPARTMENT.

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

SIR,—I have the honour to submit my remarks on Mr. Chief Secretary Malet's letter No. 5223, dated the 8th December 1853, with enclosures from the Inam Commissioner, regarding the Surinjam of Krishna Rao Neelkunt Moozumdar.

2. This is the last unanswered reference regarding Surinjams, which I had put aside pending a reference to the late Bheemrao Ramajee; and whether I look to the rank of the Surinjamdar, to the amount of his Surinjam, or to the points raised for discussion, it is the most important of your references.

3. Mr. Elphinstone left on record (see Mr. Elphinstone's Surinjam list, "Mootsudees, No. 6") that Tatia Moozumdar was a great officer of the *Rajas'* time, and had *always* held an allowance, estimated at Rs. 14,201; that he was

an *ancient* officer of the *Rajas*, and was *in possession* of great emoluments before the war; on account of which he recommended that he should receive, on hereditary tenure, the whole of his Jagheer, which it was computed he had held sixty-five years before the British accession.

4. It is quite impossible to believe that Mr. Elphinstone recorded this without searching the Poona Duftur as it came fresh from the hands of the Peshwa's own establishment, and seeking information from the Ministers of the Peshwa's court who have now passed away,—not to mention that Mr. Elphinstone's memory was stored with information on the history of the great families of the country, obtained during a long residence in the Deccan; and I should, therefore, hesitate long before I could prefer to what he has left us the results of inquiries instituted at a later time, and by persons who cannot have his advantages. I have no doubt the Inam Commissioner has re-arranged a number of papers which were at different times sent out of the Duftur, and collected a vast number which were not previously there, and which they sift with care; but I cannot forget that the Duftur papers have, since Mr. Elphinstone's day, been scattered over the country and passed under the charge of many persons, of whom Ballajee Punt Nuthoo, who was necessarily despised by "a great officer of the Rajas' time," was one, and the notorious Nursoo Punt another; and that there have been many burnings of useless papers, with which, by accident, important papers may have been consumed; and under all these circumstances I must be slow to believe that Mr. Elphinstone left us erroneous information, merely because the documents and persons whereby he obtained it are no longer forthcoming, and it is not confirmed by the records which are now in the Duftur; and I should recommend first, that Raojee Pendsay be asked to state, so far as he remembers, the evidence on which Mr. Elphinstone said that the Moozumdar had always held his allowance; the word "always" being taken, from the context, to mean from "the Rajas' time," which would by existing Rules make it hereditary.

5. When I came, in A. D. 1834, to look into the date of the grant of the component parts of this estate, I found the bulk of the Surinjam to have been granted in A. D. 1755, and this is confirmed by what Captain Cowper calls "the correct date of grant," in which, of Rs. 11,504-9-11, Rs. 9,831-9-8 are said to have been granted in A. D. 1755-56.

6. In addition to, and in corroboration of Mr. Elphinstone's testimony as to the antiquity of the allowance, we have, then, documentary proof still forthcoming that the bulk of the Surinjam was in possession of the Surinjamdar's family two years only later than that year, possession in which gives a claim to inheritance in the fullest sense of the word.

7. In handing up my lists to the Government, I pointed out that according to *the records* existing a quarter of a century after Mr. Elphinstone left

the Deccan, a very small portion only of the Surinjams answered the requirements of an hereditary one,—viz., the having been in possession before A. D. 1751, and the Government appear to have told my successor that "equally clear and satisfactory proof was required in regard to each of the other villages," and Mr. Brown reported,—"There exists a record in the Poona Duftur which speaks of the grant of *this Surinjam* in the year Eeheday Khumsain (A. D. 1750)."

8. I would recommend, secondly, that the Agent for Sirdars be requested, in communication with Vidyadhur Punt, who was Bheemrao Ramajee's assistant, to submit to Government copy and translation of that "record."

9. Captain Cowper, in his 24th paragraph, suggests that the question raised in his four previous paragraphs is one on which it seems very desirable that a definite rule should be passed.

10. This question, if I understand Captain Cowper rightly, is as to whether the age of a sub-grant, made by a person holding a grant of revenue, is to be computed from the date of such sub-grant.

11. I am not sure that I am expected to state an opinion on this point; but inasmuch as the lapse to the State of the original grant would draw down with it all sub-grants held by the grantee whose grant had lapsed, so, as long as that grant is recognised, sub-grants from it could not lapse to the State. To apply this,—if the alleged grants of Yeshwunt Rao Bhoslay and Ramchunder Damodhur have effect still, sub-grants by them to the Moozumdar might lapse to them, but not to the State; and, on the other hand, if the original grants have lapsed, then the sub-grants have lapsed also, unless the sub-grantee can show a title from the sovereign, as well as from the original grantees.

12. I do not imagine that an Inamdar, or Surinjamdar, or any other description of landholder could be equitably precluded from making assignment of portions of such land, to have effect so long only as the Inam, or Surinjam, or other grant may last.

13. I do not know whether the case under reference is one on which the Moozumdar has been "called on to prove his title"; but as we hear nothing in Captain Cowper's letter of the nature of his answer to the objections taken to his title, or of the documents produced by him in support of it, I conclude that this remains to be done; and in the absence of all answer to the objections taken, it is impossible to come to a satisfactory conclusion on the subject.

I have the honour to be, &c.

(Signed) JOHN WARDEN.

Bombay, 19*th May* 1856.

No. 1052 of 1855.

Political Department.

Memorandum.—The Secretary to Government in the Political Department presents his compliments to Captain Cowper, and with reference to his letter to the address of Mr. Manson, dated the 22nd October, No. 497 of 1853, submitted to Government with that Officer's letter No. 2679 dated the 24th of the same month, relative to the Surinjam of Krishna Rao Neelkunt Moozumdar, begs to forward copy of a letter from the Honorable Mr. Warden dated the 19th May last, and requests that Captain Cowper will put the question to Raojee Pendsay noted at the latter end of the 4th paragraph thereof, and ascertain from Vidyadhur Punt, through the Agent for Sirdars if necessary, what was the record to which Mr. Brown alluded when in the column of remarks in his entry of Krishna Rao Neelkunt Moozumdar's Surinjam he stated—"There exists a record in the Poona Duftur which speaks of the grant of this Surinjam in the year Echeday Khumsain (A. D. 1750)."

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 5th March 1855.

No. 297 of 1855.

Political Department.
Dated Poona, 20th March 1855.

Captain Cowper presents his compliments to the Political Secretary, and in reply to his memorandum No. 1052 of the 5th instant, begs to submit the following translation of the questions which, in accordance with the order of Government, were on the 10th instant put to Vidyadhur Purushram, and of the replies recorded (a copy is annexed),—

Question.—In the Surinjam lists framed by the late Agent, Mr. Brown, the Surinjam of Krishna Rao Neelkunt Moozumdar is entered as No. 47 of Class I., with an entry against it in the column of remarks to the effect that there is a record in the Poona Duftur showing the Surinjam to have been granted in Eeheday Khumsain (A. D. 1750). State what you know regarding the Murathee documents upon the authority of which this entry was made.

Answer.—In the column of remarks of the entry of this Surinjam in the

Murathee Surinjam lists the following years are entered on the evidence afforded by the Duftur:—

Teesa Sulaseen,	corresponding with	A. D.	1738;
Suba Arbain,	do.	do.	1746;
Eeheday Khumsain,	do.	do.	1750;
Seet Khumsain,	do.	do.	1755;

I do not know what they have written in the English lists, or their authority for it.

Q.—State if you know who translated these Murathee lists into English.

A.—The late Sheristedar Bheemrao Ramchunder used to read the Murathee to Mr. John Hanson, who translated into English.

2. Vidyadhur Purushram's statement regarding the Murathee lists is correct, as on examination they are found to contain, as pointed out by him, an entry describing the Surinjam as one partially granted before, and partially after A. D. 1751.

3. It now, therefore, appears that the correct date of grant was not only known, but was actually recorded in the Agent's Office, and that the alteration took place in preparing the English lists.

4. It may be well succinctly to state the circumstances under which this was done. Mr. Warden included the Surinjam in his lists of grants which, as made before A. D. 1751, were proposed for hereditary continuance, but at the same time stated that the bulk of it had been granted as late as A. D. 1755. Government returned these lists for revision to Mr. Brown, and specially desired that officer to ascertain and record the date of grant of each portion of each Surinjam proposed to be continued hereditarily; and it was *in reply* to this order that Mr. Warden's entry was erased, and a remark substituted, declaring—"There exists a record in the Poona Duftur which speaks of the grant of this Surinjam in the year Eeheday Khumsain (A. D. 1750)"; while it now transpires that when this was written, the very reverse had actually been ascertained from the Poona Duftur and recorded in the Agent's Office.

5. Raojee Pendsay has been also referred to, and has stated that to the best of his belief Mr. Elphinstone confounded the Moozumdar's holdings with those of the Punt Amatya (both these functionaries being officers of the Rajas' time); but that however this may be, the Moozumdar's holdings were not, with the exception of the small portion shown in the report now before Government (see paragraph 17 of Captain Cowper's report No. 497 dated the 22nd October 1853) held or granted before A. D. 1751.

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

No. 300 OF 1855.

POLITICAL DEPARTMENT.

Dated Poona, 21*st March* 1855.

OFFICE MEMORANDUM.—Captain Cowper presents his compliments to the Political Secretary, and, with reference to paragraph 5 of his memorandum No. 297 of yesterday's date, in which the Punt Amatya and the Moozumdar are stated to have been both "officers of the Rajas' time," begs to explain that both were not, however, *officers of the Raja:* the Punt Amatya was, but the Moozumdar was not,—he was the Moozumdar *of the Peshwa,* appointed when Ballajee Vishwanath obtained the Peshwaship.

(Signed) T. A. COWPER, Captain,
Inam Commissioner Northern Division.

No. 2596 OF 1856.

POLITICAL DEPARTMENT.

From H. L. ANDERSON, Esq.,
Secretary to Government, Bombay,

To Captain T. A. COWPER,
Special Commissioner, in charge of Alienation Department.

Dated 20*th May* 1856.

SIR,—Referring to Mr. Manson's letter No. 2670, dated the 24th October 1853, with enclosure, I am directed by the Right Honorable the Governor in Council to transmit for your information copy of a resolution passed thereon by Government, dated the 9th instant, relative to the Surinjam of Krishna Rao Neelkunt Moozumdar, which is entered as No. 47 of Class I. of the revised lists of 1847; and to state that the questions therein embraced will be referred for the consideration and orders of the Honorable the Court of Directors.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 20*th May* 1856.

Resolution by the Board, dated 9th May 1856.

Resolved,—The discussion relative to the Surinjam of Krishna Rao Neelkunt Moozumdar discloses, perhaps, the most daring of the many frauds which have been brought to light by the Inam Commissioner.

2. The Moozumdar family possessed a Surinjam of the value of Rs. 14,201 (Kumal), composed of villages, Mokassa Umuls, and detached lands, in the Collectorates of Poona, Ahmednuggur, and Khandeish. These were continued to Tatia Moozumdar by Mr. Elphinstone as hereditary, on account of his ancestor having been a great officer in the time of the Rajas of Sattara.

3. The orders issued by the Honorable Court in 1842 rendered necessary a complete revision of the lists, and those Surinjams only were to be regarded as hereditary which had been granted before 1751.

4. Mr. Warden, in his lists of 1844, stated, with reference to the holdings of the Moozumdar family, that the bulk of the Surinjam had been granted in A. D. 1755, but that as the village of Wudewlé had been granted in A. D. 1750, the Surinjamdar had been allowed the benefit of this early grant in the insertion of his estate in Class I.

5. The value of the Surinjam was Rs. 14,200, the value of the village of Wudewlé was Rs. 109. The Government was reluctant to continue as hereditary the whole Surinjam, on account of the early grant of this insignificant fraction; it, therefore, directed a particular inquiry as to the date of the grant of each component part of the Surinjam.

6. Mr. Warden's successor, Mr. Brown, in answer to this reference, submitted revised lists, in which the whole Surinjam of Krishna Rao Neelkunt Moozumdar was entered in Class I. Mr. Warden's remark as to the grant of the bulk of the Surinjam in A. D. 1755 was withdrawn, and the following remark substituted :—

> "There exists a record in the Poona Duftur, which speaks of the grant of this Surinjam in the year Eeheday Khumsain (A. D. 1750)."

7. In the 17th paragraph of his report, Captain Cowper shows from the Poona Duftur the dates of the grant of each portion of the Surinjam. From his statement it is clear, that with the exception of the Mokassa Umuls of Dhalimb and Bhowrapoor, in the Poona Collectorate,—to which particular reference will hereafter be made,—only four portions, of the total annual value of Rs. 632-1-6, were granted before 1751, the rest having been granted subsequently.

8. A reference has been made, at Mr. Warden's suggestion, to Poona, to

the present Sheristedar, Vidyadhur Purushram, for the purpose of ascertaining what the record was to which Mr. Brown alluded. That person's answer shows that Captain Cowper's statement as to the dates of the grants was perfectly correct, and that information in accordance with that statement was prepared and *entered in the Murathee Surinjam lists,* whatever may have been entered in the English lists.

9. The conclusion is obvious. The correct information was given in the Murathee lists, but Bheemrao, the late Sheristedar (now dead), and his accomplices, must have taken care that that information was not conveyed to Mr. Brown. In the event after a few years, or at any subsequent period, of the fraud being discovered, the answer of course would be, that either Mr. Brown or the translator had misunderstood the Sheristedar; the Murathee lists would show that the error was not with the latter officer. It is difficult to state which was the more conspicuous, the credulity of Mr. Brown or the audacity of his subordinates.

10. Mr. Warden lays great stress upon the fact that the Surinjam was declared in Mr. Elphinstone's lists to be hereditary. This is a fact which, by itself, has nothing to do with the discussion. The orders of the Court in 1842 laid down new Rules, by which the continuance of the Surinjams was to be regulated. By those Rules the greater part of the Moozumdar's Surinjam would be included in Class II. and not in Class I. Moreover, it will be seen by Captain Cowper's last report, that Raojee Pendsay was of opinion that Mr. Elphinstone confounded the holdings of the Moozumdar with those of the Punt Amatya, the Moozumdar having first received the seal not from the Raja of Sattara, but from the Peshwa, Ballajee Vishwanath.

11. If the Surinjam be regarded as belonging to Class II., it might, according to strict procedure, be now pronounced to lapse, the present holder being the third generation, although only the second holder since the conquest. He would, therefore, only be entitled to a pecuniary provision. The Right Honorable the Governor in Council would, however, recommend to the Honorable Court that the possession of the present incumbent be not disturbed, but that on his death the Surinjam be resumed.

12. In the 21st and three following paragraphs of his report, Captain Cowper has raised a question which demands the decision of Government. The Mokassa Umuls of Dhalimb and Bhowrapoor were not granted to the Moozumdar by the Peshwa, but by Yeshwunt Rao Bhoslay and Ramchunder Damodhur. The transfer to the Moozumdar probably occurred in 1758-59, but the possession of the grantors appears to have existed before 1751. The question raised is as to the mode in which grants of this kind should be dealt with. The Right Honorable the Governor in Council is of opinion that Mr. Warden, in the 11th paragraph of his letter, has suggested the

proper procedure: a sub-grant exists as long as the grant exists, so far as the sovereign power is concerned. If the sub-grant lapses from failure of heirs, it lapses not to the sovereign power, but to the holder of the grant,—*i. e.* the grantor of the sub-grant. If, on the other hand, the grant lapses to the sovêreign power, the sub-grant lapses also, unless it has been recognised and confirmed by the sovereign power. Under this view, which is manifestly the one which justice would suggest, the Mokassa Umuls of Dhalimb and Bhowrapoor should be regarded as hereditary possessions of the Moozumdar.

9th May 1856.

APPENDIX I.

No. 499 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Poona, 26th October 1853.

Sir,—I have the honour, under the instructions noted in the margin, to report upon the Surinjam entered as No. 18 of Class I. in the revised lists of Surinjams submitted to Government by the Agent for Sirdars, Mr. Brown, on the 26th October 1847.

Paragraph 4 of Chief Secretary's letter No. 4175, of the 24th September 1852, and the Inam Commissioner's letter No. 1344, of the 1st December following.

2. This Surinjam was entered in the Class of Paga Chiefs, as shown below, in a memorandum prepared by Mr. Elphinstone's Secretary, Mr. McDonnell:—

" No. 5.—Kundeh Rao Bullal Poorundhuree.—Exd.

" Ahmednuggur.

" Moujé Bamboordee Goomut, Purguna Parnair......Rs. 1,363 8 0

" *Note.*—The Mokassa of Bamboordee Goomut amounts to Rs. 235, and belongs to Government; the Sahotra, Rs. 14, to Punt Suchew. The Jagheerdar also claims a Koorun in Poona. By the accounts from Ahmednuggur, the collections in 1226 from his village only amounted to Rs. 241. He says he has Sunuds for the Koorun, but he did not produce them; if he has, his showing them and proving his right in the district will be sufficient."

3. The following extract shows the entry of this Surinjam, as No. 5 in the Class of Paga Chiefs, in the lists of Jagheers which were transmitted by Mr. Elphinstone to the Supreme Government on the 25th October 1819.

Number.	Name.	Class.	Remarks.	Decision.	Total Amount of Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.			Estimated real Value at Present.			Pecuniary Pension.	For what Period recommended.
							Rs.	a.	p.	Rs.	a.	p.	Rs.	
5	Kundeh Rao Bullal Poorundhuree.	Paga Chiefs.	..	To receive his Jagheer.	Rs. 1,363, besides resumed by Bajee Rao Rs. 14,450.	79	1,363	8	0	241	4	0	..	..

4. The Surinjam was actually restored to Kundeh Rao Bullal; this is shown by a register of restored personal Jagheers which was submitted to the Bombay Government by Mr. Elphinstone's successor, Mr. Chaplin, on the 28th October 1822, and an extract from which is given below :—

Number.	As per Lists sent to Calcutta.	Amount. Kumal.			Akar, estimated Value.			Nemnook, or Pecuniary Allowance.	Restored to the undernamed individuals, who were the actual Incumbents, and are either the same as those named in the Original Lists or their immediate Relations, as explained below.	Amount. Kumal.			Akar, present Produce.			Nemnook, or Pecuniary Allowance.	Remarks.
		Rs.	a.	p.	Rs.	a.	p.	Rs.		Rs.	a.	p.	Rs.	a.	p.	Rs.	
5	Kundeh Rao Bullal Poorundhuree.	1,363	8	0	241	4	0	..	Kundeh Rao Bullal.	1,363	8	0	537	11	0	..	..

5. In the lists of Surinjams framed in 1834 and 1840, this holding was entered as a grant of A. D. 1740 in the name of "Kundeh Rao Bullal"; in Mr. Deputy Agent Warden's list of 1834 it stood No. 57 Class III.; in the Agent's (Mr. Marriott) revised lists of 1834 it became No. 41 Class III.; and in the lists of 1840, prepared by the Agent Mr. Mills, it was entered as No. 73 Class II.

6. In the lists prepared by the Agent for Sirdars, Mr. Warden, in 1844,

this Surinjam was entered as No. 39 of Class I., as shown in the following extract :—

Number.	Name of the Original Grantee.	Name of the Present Incumbent.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Remarks.
					Rs. a. p.	A. D.		Rs.			
39	Khundo Gomajee.	Kundeh Rao Bullal Poorundhuree.	Ahmednuggur.	Bamboordee Goomut.	886 11 0	1740.	37 years.	..	Narayen Rao, 20 years; Martund Rao, 7 years.	Hereditary in the fullest sense of the word.	..

7. In the revised lists submitted to Government on the 26th October 1847 by Mr. Brown, the Agent for Sirdars, the Surinjam was entered as shown in the following extract, the number having been changed to 18:—

Number.	Name of the Original Grantee.	Name of the Present Incumbent.	No. in the List prepared in 1834.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
						Rs. a. p.	A. D.		Rs.				
18	Khundo Gomajee.	Kundeh Rao Bullal Poorundhuree.	No. 41 of Class III.	Ahmednuggur.	Bamboordee Goomut.	886 11 0	1740	37 years.	..	Narayen Rao, 20 years; Martund Rao, 7 years.	Ditto.	In the Class of Paga Chiefs, No. 5, Kundeh Rao Bullal Poorundhuree.—To receive his Jagheer; diminished on his death.	This Surinjamdar belongs to the house of the Poorundhuree, and his Surinjam is ancient; the date of original grant, viz. Eehcday Arbain (A.D. 1740), is the same as that assigned to this Surinjam in the lists of 1834. (See the following remark, No. 19.)

8. In paragraph 2 of the Chief Secretary's letter No. 1447, of the 7th April 1848, the following instructions were issued to Mr. Brown in regard to this Surinjam :—

"You are, however, requested to state what proofs exist, independently of the Surinjam lists framed in the year 1834, that the Surinjams entered Nos. 17, 18, and 23 in this Class were granted prior to the year 1751, the limit which has been fixed upon by the Honorable the Court of Directors as giving to the holders an hereditary title."

9. Mr. Brown's reply, below quoted, was contained in the 3rd paragraph of his letter No. 187, of the 22nd August following :—

"3. The Surinjam No. 18 shows that Khundo Gomajee's Sirdaree title dates back as far as A. D. 1740, as the extract from the Peshwa's Duftur marked No. 2, in the 6th paragraph of which the village of Bamboordee Goomut, which is specified by the revised list, is dated A. D. 1756. In the year 1798 the village of Chinnawul, which is dated back as far as A. D. 1740, was resumed, which shows that Khundo Gomajee's title of Sirdar commences from that year."

10. The wording of the paragraph of Mr. Brown's letter which I have just quoted is such as to preclude the possibility of my attempting to explain what meaning it was intended to convey, but it appears to me that it must have misled the Government, and I will therefore briefly state the case as it really stood.

11. In A. D. 1740–41 a portion of the village of Chinnawul was granted, by a Sunud which is registered in the State diary, to Khundo Gomajee, as his salary as a horseman (Silledar) in the service of Government.

12. In A. D. 1756-57 Khundo Gomajee was further granted, by a Sunud which is registered in the State ledger, the village of Bamboordee Goomut, exclusive of the Mokassa and Sahotra Umuls, as salary (Budul Mooshahira).

13. In A. D. 1798-99 the village of Chinnawul was resumed by a Sunud registered in the State diary.

14. At the introduction of the British Government Bamboordee Goomut, which had been granted in A. D. 1756-57, was *all* that was found in the possession of the family, and *all* that was continued to them.

15. Such being the case, the Chief Secretary on the 7th April 1848 made a special reference to Mr. Brown, who was desired to state the proofs existing that the Surinjam, consisting of this village (Bamboordee Goomut) *only*, had been granted prior to the year 1851.

16. The reply, if I rightly construe the Government order and the orders on which the Surinjam lists of 1844 were directed to be revised, should have

been that the Surinjam, consisting of the village of Bamboordee Goomut, was granted in A. D. 1756–57, and not prior to A. D. 1751.

17. But, instead of this, Government were informed—"Khundo Gomajee's Sirdaree title dates back as far as A. D. 1740"; and the real question at issue was referred to a lengthy translation appended to the Agent's letter, when it could have been answered in half a dozen lines—at least, so it seems to me.

18. But it remains to be stated that Mr. Brown had been particularly warned (paragraphs 8 and 15 of Chief Secretary's letter No. 1896, of the 9th May 1846) against assigning to even a *single component portion* of a Surinjam any other date than that on which it was *actually* granted; and yet, with these distinct instructions on record, he assigned to this Surinjam, composed of *merely* the village of Bamboordee Goomut, not the date of grant of that village, nor even the date of grant of anything held by the Surinjamdar, but the date on which the family had originally received a village which they had ceased to hold *twenty years* before the close of the Peshwa's reign. On what grounds this was done I cannot understand.

19. If I rightly interpret the orders of the Honorable Court on which the lists of 1844 were framed, and the subsequent order of the Government on which these lists were in 1847 revised, this Surinjam, which is valued at Rs. 886-11-0, is, as a *new* grant of A. D. 1756-57, not entitled to hereditary continuance, but to continuance for two generations from the conquest, with a pensionary provision for the generation next succeeding.

20. I append, for reference if required, a copy of the translation of extracts from the Peshwa's records which accompanied Mr. Brown's last explanation in this case. (See paragraph 9 of this letter.)

21. It does not appear, from the Murathee records relating to this holding which have been received from the Agent's Office, that the Surinjamdar was ever called upon to make any statement of his claims, or to produce the documentary proof in support of them which he may have had in his possession; neither does it appear that up to the date of the Government call for further explanation *after* the revised lists had been sent in (see paragraph 8 of this letter), any attempt had been made to obtain from the Peshwa's records the information regarding the Surinjam which was at last afforded. (See paragraph 9 of this letter.)

22. In the revised lists Mr. Elphinstone's recommendation is entered as,—"To receive his Jagheer; diminished at his death." But no such recommendation appears to have been made in this case, which must, I apprehend, be one of those referred to in the 28th paragraph of my report No. 163, of the 2nd May last, and in which, as explained by the Honorable Mr. Warden, Mr. Elphinstone did not decide nor submit any recommendation, but

left them open questions. In Mr. Elphinstone's lists, the column headed "For what period recommended" contains the precise entry (two marks thus ..) which I have extracted in the 3rd paragraph of this letter, but these marks do not appear to have been intended to denote a repetition of the entry last preceding and above them.

I have the honour to be, &c.
(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 2673.

Political Department.

From C. J. Manson, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Dated Kirkee, 26th October 1853.

Sir,—I have the honour to submit an original report, No. 499, of this day's date, from my Assistant, Captain Cowper, relative to the Surinjam entered as No. 18 of Class I. of the revised lists of 1847.

2. This report requires little comment from me. It is a further exposition of the negligent manner in which the duty of revising the Surinjam lists was fulfilled by Mr. Brown.

I have the honour to be, &c.
(Signed) C. J. Manson,
Inam Commissioner.

No. 2531 of 1854.

Political Department.

To C. J. Manson, Esq.,
Inam Commissioner.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter, with enclosure, No. 2673, dated the 26th October 1853, relative to the Surinjam of Kundeh Rao Bullal Poorundhuree, entered as No. 18 of Class I. in the revised lists of 1847.

2. In reply, I am desired to inform you that the Agent for Sirdars in the Deccan has been instructed to transfer this Surinjam from Class I. to Class II. of the above lists.

3. In the 15th paragraph of Captain Cowper's letter No. 499, dated the 24th October 1853, 1851 is erroneously written for 1751.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 3rd June 1854.

Extract Paragraph 4 *from a Despatch from the Honorable the Court of Directors, dated the* 12*th December, No.* 27 *of* 1855.

" Para. 4. This transfer was perfectly correct, as the only village of which Kundeh Rao is in possession was not held by his family prior to 1751."

APPENDIX J.

No. 149 of 1854.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Deoghur, Poona Districts, 20th March 1854.

Sir,—I have the honour to report (under the instructions contained in the Chief Secretary's letter No. 4175, of the 24th September 1852, paragraph 4, and Inam Commissioner's letter No. 1344, of the 1st December following) that the Surinjam entered as No. 15 of Class I. in the revised lists submitted to Government by the Agent for Sirdars, Mr. Brown, on the 26th October 1847, has apparently been continued and included in the list of hereditary estates in direct contravention of the orders of Mr. Elphinstone's Government, (see paragraph 6 of this letter,) which distinctly authorised the release to Owdhut Rao Powar, *as the son of Govind Rao Powar,* (see paragraph 16 of this letter,) not of the whole of the Surinjam which he obtained, and which is now held by his grandson Krishna Rao Powar, but of his (Owdhut Rao's) "*share** of the actual value of the allowance enjoyed by Govind Rao and Darkojee Powar during the Peshwa's Government";—that is to say, of one-half of the estate, the whole of which seems erroneously to have been made over to him by the Collector of Ahmednuggur.

2. Owdhut Rao Powar did not present himself to any British authority within the period allowed by Mr. Elphinstone's proclamation, nor for several years afterwards; but in 1824 he presented to the Government, of which Mr. Elphinstone had become the head, a petition, dated the 14th September 1824, which was referred for the report of the Deccan Commissioner, Mr. Chaplin, with the following letter, No. 1477, of the 20th September 1824, from the Revenue Secretary.

* *Italicised* by Captain Cowper.

"I am directed by the Honorable the Governor in Council to transmit to you the accompanying copy of a petition from Owdhut Rao Powar dated the 14th instant, and to request you will report whether any provision was made for the petitioner, and, if not, whether his statement of his possessions at the breaking out of the war be true."

3. Mr. Chaplin's reply, No. 81, of the 27th September following, was as follows:—

"1. In reply to your letter dated the 20th instant, enclosing copy of a petition from Owdhut Rao Powar presented to the Honorable the Governor in Council, I have the honour to state, for the information of Government, that the petitioner is the son of Govind Rao Powar, whose name, together with that of Darkojee Powar, appears in the statement of those to whom it was decided that Jagheers, or a compensation in lieu of them, should be continued in the Peshwa's dominions.

"His claim,

"2. These persons are entered as Sirdars, the Kumal of whose annual allowance was Rs. 3,423, and the estimated real value of it Rs. 1,685. They not having appeared at the time the statement in question was drawn, it is noted that upon their coming forward their case was to be taken into consideration.

"And former possessions.

"3. Upon a reference to the Duftur, I find that Govind Rao and Darkojee Powar enjoyed, at the breaking out of the war, Umuls in the villages Lak, Chandegaum, Sunkrapoor, Julgaum, and Moheygaum, of the district of Belapoor, estimated at Rs. 1,515-10-0, as they did, also, in the villages of Kopree Khoord, Meergaum, and Oojnee, of Turuf Deypoor, the value of which possessions is recorded at Rs. 882-9-0. They had also, it would appear, shares in the Purguna of Shewgaum, amounting to Rs. 950, and in Dolusnee, in the Kotool Purguna, amounting to Rs. 75, making the aggregate amount of their annual receipts, according to the Duftur accounts, Rs. 3,423-3-0.

"Reasons for rejecting his claims now.

"4. Owdhut Rao Powar preferred his petition to me a short time ago, but his claim was not favourably received, in consequence of his long protracted absence."

4. Upon the receipt of Mr. Chaplin's explanation, the Government deemed it necessary further to inquire, in the Revenue Secretary's letter No. 1544, of the 4th October 1824,—

"Whether any and what claims to Jagheers, or compensation in lieu of them, have been admitted or forfeited in consequence of the delay in preferring them."

5. In reply, the Government were informed to the following effect in Mr. Chaplin's letter No. 86, of the 16th idem:—

"Case of Owdhut Rao Powar.

"I have the honour to submit, agreeably to the instructions conveyed in your letter of the 4th instant, a list of claims to compensation for Jagheers that have been admitted by me on satisfactory reasons being adduced for the delay in preferring them.

"I do not find that any case of actual forfeiture for delay has been declared; and for this reason, perhaps, it may be no more than just to admit the present claim of Owdhut Rao Powar, notwithstanding that so long a time had elapsed before it was preferred, owing to the petitioner's absence on foreign service."

6. The final orders of Government were conveyed in the Revenue Secretary's letter, No. 1641, of the 26th of the same month (October), below transcribed:—

"I am directed to acknowledge the receipt of your letter dated the 15th instant, and to inform you that the Honorable the Governor in Council is pleased to admit the claim of Owdhut Rao Powar to his share of the actual value of the allowance enjoyed by Govind Rao Powar and Darkojee Powar during the Peshwa's Government, amounting to Rs. 1,685 per annum, from the date of Owdhut Rao Powar's petition, viz. the 14th of last month."

7. The instructions of Government were communicated to the Collector of Ahmednuggur (Mr. Dunlop) in Mr. Chaplin's letter of the 10th June 1825, in the following terms:—

"With reference to my letter of the 23rd of February, enclosing for your inquiry a memorandum from Owdhut Rao Powar, I have the honour to inform you that the Honorable the Governor in Council has been pleased to admit the claim preferred by that person to his share of the actual value of the allowance enjoyed by Govind Rao and Darkojee Powar during the Peshwa's Government, amounting to Rs. 1,685 per annum, from the date of Owdhut Rao Powar's first petition, viz. the 14th September 1824.

"The particulars of the claim now admitted will be found in the annexed Murathee memorandum."

8. I have now obtained from the Collector of Ahmednuggur a copy (annexed to this letter and marked A) of the "Murathee memorandum" which accompanied Mr. Chaplin's letter, and which directs the release of a *share* of the Mokassa of the undermentioned villages {Sudr hoo Gam cha / सदर ऊ गांव चा} {Mokassa cha Hissa hoeel to / मोकासा चा हिसा होइल तो} to Owdhut Rao Powar.

In Turuf Belapoor.

Moujé Lak Ditto Chandegaum Ditto Sunkrapoor Ditto Julgaum Ditto Moheygaum	Rs. 1,595	10	0

In Turuf Deypoor.

Moujé Kopree Khoord Ditto Meergaum Ditto Oojnee	882	9	0

In Purguna Sheurgaum.

Kusba Bodaygaum Moujé Dhorjulgaum Ditto Belgaum Ditto Sone Sangoee Ditto Sarpeh Ditto Dadehgaum Ditto Golehgaum Ditto Bhenday (a portion) The share of transit duties leviable in the above 8 places.	950	0	0

In Purguna Kotool.

Moujé Dolusneh	75	0	0
Total....Rs.	3,423	3	0

9. The Murathee memorandum further shows the estimated actual value of the abovementioned holdings to have been Rs. 1,685, the amount specified in the 2nd paragraph of Mr. Chaplin's letter of the 27th September 1824, No. 81, (quoted in paragraph 3 of this letter,) as the actual value of the holdings of Govind Rao Powar *and* of Darkojee Powar.

10. On the above order of the Deccan Commissioner, the whole of the Surinjam, and not the *share* specified by the Government and by Mr. Chaplin, seems to have been made over to Owdhut Rao Powar, by whom, and by his son and grandson, it has been held ever since.

11. That Owdhut Rao Powar had obtained possession of much to which he, apparently, had no sort of right, was reported to Government by the Superintendent of the Poona Duftur, Mr. Turquand (letter No. 28, of the 31st January 1849), who, however, was evidently in ignorance of the fact that Government and the Commissioner had directed the restoration not of the whole, but of a part (*i. e.* Owdhut Rao Powar's *share*) only of the Surinjam held by Govind Rao and Darkojee Powar.

12. Mr. Turquand's letter was referred to Acting Agent for Sirdars, Mr. Hunter, who reported as follows (paragraph 2 of Agent's report, No. 338, of the 6th November 1849):—

"2. In reply, I beg to remark that it is not clearly established that a division of property, agreeably to the deed discovered by Mr. Turquand, was ever carried out; but even if it were so established, I do not think that would be a sufficient reason for disturbing the present possessor, in the face of the facts that Darkojee had possession at the breaking out of the war; that that possession was continued to his son and grandson by our Government; and that they have enjoyed it ever since. Under these circumstances, I do not think it would be either politic or just to interfere with the former decisions of Government. It appears to me that the only ground on which such interference would be advisable is that of possession to the title under discussion having been obtained by fraud, and of this there is no evidence."

13. Government, in their Political Secretary's letter No. 4949, of the 20th November 1849, expressed their concurrence in the opinion submitted by Mr. Hunter, who seems, however, not to have been aware of the contents of the Government order of the 26th October 1824, and of Mr. Chaplin's subsidiary instructions issued on the receipt of that order. I infer that Mr. Hunter was not aware of this from his having based his opinion chiefly upon the supposed fact that "Darkojee had possession at the breaking out of the war" of the *whole* of the Surinjam of Govind Rao and Darkojee Powar, and "that that possession was continued to his son and grandson by our Government"; whereas Mr. Chaplain, in his letter No. 81, of the 27th September 1824, distinctly stated the Surinjam to be one which, "upon a reference to the Duftur, I find that *Govind Rao and** Darkojee Powar enjoyed at the breaking out of the war"; and whereas it was in contravention of, not in accordance with the orders of Government, that "possession was continued to his son" (Owdhut Rao Powar) of the *whole* Surinjam, his *share* of which only he was granted by Government. (See paragraph 6 of this letter.)

14. Another, and a most important feature in this case, is the *nature* of the holding, which was held for *military* service (Fouj Surinjam), and, more than this, the State records contain the registry of orders issued by the Peshwa, directing its resumption, on the recorded grounds of the non-performance of that service. This is shown to have occurred with regard to the shares of both Govind Rao and Darkojee Powar, although the resumptions were not final.

15. The person to whom the continuance of *his share* of this Surinjam was ordered by Mr. Elphinstone's Government (Owdhut Rao Powar) appears to

* *Italicised* by Captain Cowper.

have made himself notorious by putting forward groundless claims; and this was forcibly pointed out by the Sub-Secretary to Government, Mr. J. Warden, who on the 20th February 1828 thus reported upon a claim preferred by Owdhut Rao Powar to the Surinjam held by the Multhun branch of the Powar family:—

"Owdhut Rao Powar seems to attach himself to any branch of the Powar family from the property of which he thinks he may derive some advantage to himself.

"He first appeared in the Deccan in 1824, and Mr. Secretary More's letter to Mr. Chaplin of the 20th, and his answer of the 27th of September of that year, show that Owdhut Powar then came forward to claim the Surinjam assigned by the British Government to the Powars of Soopé; and as he is the son of Govind Rao of Soopé, whose name, together with that of Darkojee Powar, appears in the statement of Surinjams to be granted, Government was pleased, even at that late period, to grant him his share of the actual value of the allowance enjoyed by Govind Rao and Darkojee Powar. (See Government letter to Mr. Chaplin, dated 26th October 1824.)

"He now comes forward to put [s. o.] his right to the Surinjam enjoyed by Yeshwunt Rao Powar of Multhun.

"It does not seem necessary to inquire whether the petitioner is more nearly related to the late Mulhar Rao Powar of Multhun than his professed son by adoption, Yeshwunt Rao, or whether that adoption was valid or not; because Yeshwunt Rao, according to the Poona records, received annually from the Peshwa, after Mulhar Rao's death, a Poshak at the Dussera, 'as being the son of Mulhar Rao,' and was found by the British Government in possession of that Surinjam, which was confirmed to him by the British Government, and which he has now held, in right of that grant, uninterruptedly for ten years.

"If Government should think proper to question the validity of Yeshwunt Rao's adoption, the consequence of the proof of its being invalid might be its resumption as a Surinjam that should have escheated for want of heirs on the death of Mulhar Rao; but the petitioner could hardly expect that it should then be conferred on him who has already received a grant of his share of the Surinjam of another branch of the family."

16. It will be observed that the Deccan Commissioner, who investigated the case on Owdhut Rao's first appearance in 1824, informed Government (see paragraph 3 of this letter) that he was the son of *Govind Rao Powar*, whereas he is now stated to be the son of Darkojee Powar, the Agent for Sirdars, Mr. Brown, having informed Government in the 11th paragraph of his letter No. 148, of the 14th June 1848,—

"The letter from Mr. Commissioner Chaplin, under date 27th September 1824, No. 81, to Mr. Secretary More, specifies that Owdhut Rao is the son of Govind Rao; but that is a mistake, as the genealogical tree, which I have examined, shows that he is his nephew."

17. The estimated annual value of the *whole* of the Surinjam at present held by Owdhut Rao Powar's grandson, Krishna Rao, is, according to the revised lists (No. 15 of Class I., column 7), Rs. 2,560-13-3.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 3151.

Political Department.

Dated Belgaum, 25th March 1854.

Submitted for the consideration and orders of Government.

2. It seems that Owdhut Rao Powar had provision made for him by Government, by being allowed to succeed to a share of the Surinjam held by his uncle and father at the breaking out of the war. Instead, however, of succeeding to a *share* only, he got possession of the *whole* Surinjam, and after him his son and grandson succeeded to the *whole* Surinjam. This is the departure from Government orders which Captain Cowper brings to notice.

(Signed) C. J. Manson,
Inam Commissioner.

No. 2597 of 1856.

Political Department.

From H. L. Anderson, Esq.,
Secretary to Government, Bombay,

To Captain T. A. Cowper,
Special Commissioner, in charge of Alienation Department.

Dated 20th May 1856.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of Mr. Manson's memorandum, No. 3151, dated the 25th March 1854, with a report on the Surinjam entered in the name of Owdhut Rao Powar, as No. 15 of Class I., in the revised lists of 1847, to transmit to you a copy of the resolution passed thereon by Government, dated

the 9th instant, and to inform you that this case will be referred for the orders of the Honorable the Court of Directors.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 20*th May* 1856.

Resolution by the Board, dated the 9*th May* 1856.

RESOLVED,—Two questions are involved in this investigation,—

1*st.*—Was Owdhut Rao Powar entitled to more than a half of the Surinjam?

2*nd.*—Was the Surinjam rightly entered in the lists of Mr. Brown and Mr. Warden, as "hereditary in the fullest sense of the word"?

2. It is most clearly shown by Captain Cowper, that the Surinjam having been vacant since the accession of British rule, Owdhut Rao Powar presented an application for it in 1824, as the son of Govind Rao Powar. The Surinjam stood in the name of Govind Rao and Darkojee Rao Powar. Mr. Turquand, in an able report dated 31st January 1849, showed that there was strong reason for believing a division between these two persons was effected in A. D. 1772. It is, perhaps, unnecessary to enter into that discussion now; but Captain Cowper has proved beyond a doubt that Mr. Elphinstone's Government only granted to Owdhut Rao *his share* of the Surinjam. Owdhut was not the son of Govind Rao, but of the younger brother, Darkojee Rao; he, nevertheless, succeeded in obtaining the whole Surinjam, and he, his son, and grandson have retained it to this day.

3. Again, it is shown that the Surinjam was a military Surinjam (Fouj Surinjam). This is a Class which the Honorable Court has declared *not to be hereditary*, unless specially ordered to be so.

4. Under these circumstances, the orders of the Honorable Court may be solicited,—1*st*, as to whether the Surinjam should be regarded as hereditary in the fullest sense of the word—the grant being one of 1736, which would place it in the First Class, but being also a Fouj Surinjam, which, in the absence of specific orders, is not an hereditary holding; 2*nd*, the Honorable Court's orders should be required as to whether half the Surinjam should be resumed from the present holder, who, under the decision of the Honorable Mr. Elphinstone's Government, was only entitled to a share of the estate, but obtained the whole.

(True copy)

(Signed) H. L. ANDERSON,
Secretary to Government.

9*th May* 1856.

APPENDIX K.

No. 175 of 1854.

From Captain T. A. Cowper, Assistant Inam Commissioner,
To C. J. Manson, Esq., Inam Commissioner.

Dated Deoghur, Poona Districts, 30th March 1854.

Sir,—I have the honour, under the orders noted in the margin, to report upon the Surinjam entered as No. 8 of Class II. in the revised lists submitted to Government on the 26th October 1847 by the late Agent for Sirdars, Mr. Brown.

Chief Secretary's letter No. 4175, of the 24th September 1852, paragraph 4, and Inam Commissioner's letter No. 1344, of the 1st December following.

2. The entry regarding this holding in the memorandum framed by Mr. Elphinstone's Secretary, Mr. McDonnell, is below extracted:—

"No. 3.—Gungadhur Gunesh.—Exd.

"Ahmednuggur.

Kusba Anjulgaum, Turuf Anjulgaum, Purguna Barsee,
Chowthaee and Surdeshmookee.................... Rs. 1,405 8 0

"3. The Jagheerdar states that he 1,405-8 [s. o.] as stated opposite, up to the war, with 3 khundies of grain from Anjen in the Konkun. He has also given a statement of what he formerly possessed. By the district accounts he does not appear entitled to the Umuls on Anjulgaum: this may be, however, owing to the Umuls of Barsee being rented by Sudashew Mankeshwur, whose Karkoon states that Gungadhur Gunesh was in possession up to the war."

3. In the lists transmitted by Mr. Elphinstone to the Government of India on the 25th October 1819 this Surinjam was entered, as shown below, as No. 3 in the Class of "Paga Chiefs" (A):—

Number.	Name.	Class.	Remarks.	Decision.	Total Amount of the Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued.			For what Period recommended
							Kumal, or greatest recorded Collection.	Estimated real Value at present.	Pecuniary Pension.	
							Rs. a. p.	Rs. a. p.	Rs.	
3	Gungadhur Gunesh.	A.	..	To receive his Jagheer according to Rule No. 3.	1,405, besides resumed by Bajee Rao 6,300.	60	1,405 8 0	703 0 0	..	Diminished on his death.

4. The Surinjam was shown in the register forwarded by Mr. Chaplin to the Bombay Government on the 28th October 1822 to have been actually restored to "Gungadhur."

5. In the several lists framed between 1830 and 1844 this Surinjam was entered as one originally granted in A. D. 1763.

6. In the lists submitted by the Agent for Sirdars, Mr. Warden, on the 29th December 1844, this Surinjam was entered as No. 23 of Class II., as shown below:—

Number.	Name of Original Grantee.	Name of Present Incumbent.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.
					Rs. a. p.					
23	Govind Rao Bapoojee and Madhow Rao Gungadhur Somun.	Gungadhur Gunesh Somun.	Sholapore	Surdeshmookee, Swuraj, and Chowthaee...	502 4 0	1763	60 years.		Hur 30 ye Abba, 15 d	o be continued nd, and the prescribed anted to the third gener

On the revision of Mr. Warden's lists by his successor, Mr. Brown, this Surinjam was entered as No. 8 of Class II., as shown on the next page.

Number.	Name of Original Grantee.	Name of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of Present Incumbent, and whether the first or second British Grantee.	No. in the List prepared in A. D. 1834.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	Whether or not the Surinjam has been continued beyond the Second Generation from the Conquest.	The Tenure.	Reasons for making the grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
8	Govind Rao Bapoojee and Madhow Rao Gungadhur Somun.	Gungadhur Gunesh Somun.	Gungadhur Gunesh Somun, first British grantee.	No. 40 of Class III.	Sholapore	Surdeshmookee, Swuraj, and Chowthaee ...	Rs. a. p. 502 4 0	A. D. 1763.	60 years.	Rs. ..	Huree Punt, 30 years; Abba, 15 years.	No.	The Surinjam to be continued to the second, and the prescribed pension granted to the third generation.	Paga Chiefs, No. 3.—To receive his Jagheer according to Rule No. 3; diminished on his death.	There is a record in the Poona Duftur, bearing date Sulas Subain, (A. D. 1772), which speaks of this Surinjam; and the date of original grant, viz. Arba Seetain, (A. D. 1763), is taken from the lists prepared in A. D. 1834.

7. Mr. Warden had in some cases assigned to the whole of a Surinjam an early date, at which only a portion of it had been granted; Mr. Brown's attention was, however, specially drawn to this point (Political Secretary's letter No. 1896, of the 9th May 1846, paragraphs 9, 14, and 16), and Government directed him, in revising Mr. Warden's lists, to assign to *each* portion of a Surinjam the date of actual original grant.

8. How, with these explicit instructions on record, the Surinjam now reported on was entered in the revised lists as a grant of A. D. 1763, I cannot understand, as it was granted* *as a new grant, and not in lieu of, or in commutation for anything previously held*, in A. D. 1801, by a Sunud issued by the Peshwa's Minister, Ballajee Koonjur, and registered on the 29th August 1801 (18th Rubee-ool-Akhur, Esunay Myatain wa Ulluf).

9. Not only was this the case, but the Surinjamdar had furnished a written statement, not dated, but endorsed as received by the Agent on the 6th January 1811, showing the correct date of original grant of the holding, and which statement I received with the other documents transferred to my charge under the orders contained in the Chief Secretary's letter No. 5206, of the 30th November 1852.

10. This holding appears to be one which should have been entered in Class III. of Surinjams to be continued for one generation from the conquest, with a pensionary provision for the generation next succeeding.

I have the honour to be, &c.
(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 3196.

Dated Belgaum, 4th April 1854.

Submitted for the orders of Government.

2. This case affords another illustration of that kind of error found in the revised lists of Mr. Warden and Mr. Brown, which makes suspicion to necessarily fall on the Native subordinates in the Agent's Office who assisted in the preparation of those lists.

(Signed) C. J. Manson,
Inam Commissioner.

* To Gungadhur Gunesh, and *not*, as stated in the revised lists, to Govind Rao Bapoojee and Madhow Rao Gungadhur Somun.

No. 2242 of 1854.

Political Department.

To P. W. LeGeyt, Esq.,

Agent for Sirdars in the Deccan, Poona.

Sir,—I am directed by the Right Honorable the Governor in Council to forward for your information copy of two reports, dated the 4th ultimo and 4th instant, from the Inam Commissioner, with enclosures, and to state that from the facts therein recorded it is established beyond doubt that the Surinjam of Gungadhur Gunesh Somun, entered as No. 8 of Class II. in the revised lists of 1847, was erroneously inserted in that class, being a grant of the year 1801-02—that is, of a date subsequent to 1796. You are, therefore, directed to expunge this Surinjam from Class II. and enter it in Class III.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 18th May 1854.

APPENDIX L.

No. 177 of 1854.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Deoghur, Poona Districts, 1st *April* 1854.

Sir,—I have the honour, under the instructions noted in the margin, to report upon the Surinjam entered as No. 18 of Class II. in the revised lists of Surinjams submitted to Government on the 26th October 1847 by the Agent for Sirdars, Mr. Brown.

Inam Commissioner's letter No 1782, of the 21st March 1853, the accompaniments to which are herewith returned.

2. In the memorandum drawn up by Mr. McDonnell, prior to the preparation of Mr. Elphinstone's lists of Jagheers, this holding is not to be found at all.

3. The following extract shows the entry in the lists which Mr. Elphinstone transmitted to the Supreme Government on the 26th October 1819, and in which this Surinjam was entered as No. 52 in the Class of "Sirdars or great Chiefs" (A).—

Number	Name	Class.	Remarks	Decision.	Total Amount of the Jagheer as it stood at the breaking out of the War	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.	Estimated real Value at present	Pecuniary Pension.	For what Period recommended.
					Rs.		Rs. a	Rs. a		
52	Yeshwuntrao Dabharee Senaputee, and Karkoons.	A.	H[illegible] h[illegible] a[illegible] does[illegible] to[illegible] de[illegible]	The porti[illegible] Karkoons w[illegible] peared to be co[illegible]	30,961	100	30,961 3¾	17,380 3	..	..

4. Mr. Chaplin, Mr. Elphinstone's successor as Commissioner, submitted to the Bombay Government, with a letter No. 121, of the 28th October 1822, a register of personal Jagheers actually restored, the entry in which having reference to this Surinjam is below extracted :—

Number.	As per Lists sent to Calcutta.	Amount. Kumal.	Amount. Akar, estimated Value.	Amount. Nemnook, or Pecuniary Allowance.	Restored to the undernamed individuals, who were the actual Incumbents, and are either the same as those named in the Original Lists or their immediate Relations, as explained below.	Amount. Kumal.	Amount. Akar, present Produce.	Amount. Nemnook, or Pecuniary Allowance.	Remarks.
		Rs. a.	Rs. a.	Rs.		Rs. a.	Rs. a.	Rs.	
52	Yeshwuntrao Dabharee Senaputee, and Karkoons.	30,961 3¾	17,380 3	..	Yeshwuntrao Dabharee and Karkoons, as follows:— Yeshwuntrao himself, Kumal Rs. 20,539-12¼, Akar Rs. 13,747-15; Anundrao Gungadhur, Kumal Rs. 790-8; Akar Rs. 517-15¾; Baboorao Trimbuk Moozumdar, Kumal Rs. 1,424-10, Akar Rs. 1,120; Shunkrajee Shewajee, Kumal Rs. 75, Akar Rs. 75. (Sattara.)	22,819 14¼	15,460 10¾	..	Reduced on investigation as Kumal, Rs. 8,111-5-0.

5. The detail of the restored Surinjam is recorded in a Murathee list framed at the same time in the Commissioner's Office, to have consisted of the following items :—

The Mokassa* Umul of the village of Wurgaum Ghenud, in the Poona Collectorate	Rs.	409	6	0
Ditto of Samodeh, in the Khandeish Collectorate		1,015	4	0
Total	Rs.	1,424	10	0

* There seems every reason to believe that this order of release was intended to restore everything claimed by the Moozumdar, *i. e.* the three Umuls, for the value here assigned (Rs. 409-6-0) is not, as stated, that of the Mokassa, but of the Mookasa *and* Surdeshmookee. For further explanation, see the second clause of paragraph 60 of this letter.

Since the above was written, the detail of the Surinjam continued to the Moozumdar has been found in a statement framed by the Deccan Commissioner's Dufturdar, and specifying the items of each Surinjam which was continued. In this statement *the three* Umuls of Wurgaum Ghenud are entered at a valuation of Rs. 409-6-0.

6. This Surinjam was not entered in the lists framed in 1834 by the Deputy Agent for Sirdars, Mr. Warden, nor on their revision shortly afterwards by the Agent for Sirdars, Mr. Marriott; neither was it entered in the lists framed in 1840 by the Agent for Sirdars, Mr. Mills.

7. In the lists framed by the Agent for Sirdars, Mr. Warden, in 1844, this Surinjam was entered as No. 16 of Class II., as shown in the following extract:—

Number.	Name of Original Grantee.	Name of Present Incumbent.	Soobhas in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Remarks.
					Rs. a. p.	A. D.		Rs.			
16	Baboorao Konher Moozumdar Dimmut Dabharee.	Baboorao Trimbuk Moozumdar Dimmut Dabharee.	Khandeish and Poona.	Mokassa of Wurgaum Ghenud.	409 4 0	1767.	67 years.	50	Neelkunt Baboorao, 20 years.	To be continued to the second, and the prescribed pension granted to the third generation.	This grant is not in the lists of A. D. 1834 and A. D. 1840.
				Mokassa of Samodeh.	550 15 6						
				Total. .	960 3 6						

8. (C) Baboorao Trimbuk died in March 1846, leaving one son, (E) Neelo Baboorao, and one grandson, (F) Rumakant, the offspring of *an elder brother*, (D) *Nursing*, who had died before his father. The Genealogical Table of the family is given on the next page; in hereinafter alluding to the several members, the letters affixed to each name in the table will facilitate reference.

A
Baboorao Kouher.* Alleged original grantee.

B
Trimbuk.*

C
Eldest Baboorao. †

Ramrao. †

Luximon. †

D
Nursing. †

E
Neelkunt. †

Kassinath. †

Gopall.

Govind.

F
Rumakant.

Venaik. †

Kassinath. †

E 2
Bapoojee.

Chintoba. †

Gunput.

Trimbuk. †

Name not known.

Name not known.

[Note.—Those marked thus * died before, and those marked thus † subsequently to the introduction of the British Government.]

9. In the revised lists submitted by the Agent, Mr. Brown, on the 26th October 1847, this Surinjam was entered, as shown below, as No. 18 of Class II., and shown to be then held by (c) Baboorao Trimbuk, who had died a year and a half previously:—

Number.	Name of Original Grantee.	Name, of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of the Present Incumbent, and whether the first or second British Grantee.	No. in the List prepared in A. D. 1834.	Soobhas in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	Whether the Surinjam has been continued beyond the Second Generation from the Conquest.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
							Rs. a. p.	A. D.		Rs.					
18	Baboorao Konher Moozumdar Dimmut Dabharee.	Baboorao Trimbuk Moozumdar Dimmut Dabharee.	Baboorao Trimbuk Moozumdar Dimmut Dabharee, first British grantee.	..	Poona. Khandeish.	Mokassa of Wurgaum Ghenud. Mokassa of Samodeh .... Total..	109 4 0 550 15 6 960 3 6	1767.	67 years.	50	Neelkunt Babooroo, 20 years.	No.	The Surinjam to be continued to the second, and the prescribed pension granted to the third generation.	Class Sirdars or Great Chiefs, No. 52.—The portion claimed by the Karkoons who have appeared to be continued hereditary.	The Collectors of Khandeish and Poona have reported that the Surinjam is in the possession of this person. His name is mentioned in Mr. Elphinstone's list No. 52 as hereditary, and the omission of his name in the lists of A. D. 1834 and 1840 seems to have been from an oversight. By a Botekhut from the Poona Duftur it is shown that this Surinjam has been in Trimbuk Baboorao's name since Suman Seetain (A. D. 1767). This person was the father of the present incumbent, and a Chor Chittee of 1819 is in the name of the present incumbent, and the Surinjam has been held by him from that period.

10. Meanwhile, however, a petition (referred to in the 62nd paragraph of this letter) made to Government, on (c) Baboorao Trimbuk's death, by (E 2) Bapoojee Kassinath, the grand-nephew of the deceased, had been referred to the Collector of Poona, who, on the 16th November 1847, No. 2469, reported (see paragraph 13 of this letter) upon (E 2) Bapoojee's claim to hold a portion of the Surinjam situated in the Poona Collectorate (the Mokassa Umul of the village of Wurgaum Ghenud) *in Inam.*

11. (E 2) Bapoojee Kassinath is the person who has during the last five years submitted petitions to Government incessantly, and who has addressed me at least a dozen times since I commenced this inquiry. I particularly allude to this because I shall have to show that this (E 2) Bapoojee Kassinath has been all along endeavouring to procure the recognition by Government, as an Inam, of a holding which was released at the introduction of the British Government as a Surinjam, which was held by (c) Baboorao Trimbuk from 1817 to 1847 as a Surinjam, and which he, (E 2) Bapoojee Kassinath, must, therefore, have well known to be a Surinjam and nothing else. (See paragraphs 44 to 49 and 62 to 64 of this letter.)

12. All the confusion which has taken place in regard to this holding must, however, be attributed to the error committed in the Poona Collector's Office when (E 2) Bapoojee Kassinath's first petition was referred for report, and when the facts I have noticed in the last paragraph ought to have been at once pointed out. It is the more extraordinary that this was not done, because the entry of the holding in the Surinjam list had been made on the authority of a list of Surinjams furnished to the Agent on the 15th September 1843 by the Collector of Poona himself. (Paragraph 5 of the Agent's report, quoted in the 39th paragraph of this letter.)

13. The report which the Collector of Poona, Mr. Courtney, submitted on the 16th November 1847, No. 2469, is below transcribed:—

"The village of Wurgaum Ghenud, in the Kheir Talooka of this Zilla, belongs to His Highness Jeyajee Rao Sindia, and has been granted by him to Prubhakur Junardhun Surinjamee: in this village Baboorao Trimbuk Moozumdar held the Mokassa, Surdeshmookee, and Surpatelkee Umuls.

"2. This individual died in March 1846, and, in consequence, the Huks enjoyed by him were suspended, pending an inquiry into the validity of the claims of his heirs to succeed to them.

"3. The petitioner, Bapoojee Kassinath, and his cousins, Govind Luximon and Neelo Baboorao, produce the undermentioned documents in support of their claim, translations of which are annexed, Nos. I. to IV:—

"I. The copy of a Sunud from Raja Shahoo Chutruputtee, dated Poush Shood 1st, Monday, Shuké 47 (A. D. 1719), to the Muccadums of Wurgaum Ghenud.

"II. An original Adnyaputru from Trimbukrao Dabharee, Sena Khas Khel, to the Muccadums of the same village, dated 18th Rubee-ool-Akhir, Soor Sun Sulas Khumsain Mya wu Ulluf (A. D. 1752).

"III. An original Adnyaputru from Ballajee Bajee Rao, Punt Prudhan, to the same, dated 5th Jummad-ool-Awul, Soor Sun Suman Khumsain Mya wu Ulluf (A. D. 1757).

"IV. An original Adnyaputru from Mahadeo Rao Bullal, Punt Prudhan, to the same parties, dated 11th Shuwal, Soor Sun Suman Seetain Mya wu Ulluf (A. D. 1767).

"4. From a memorandum received from the Superintendent of the Poona Duftur, dated 4th June last, the following entries appear to be forthcoming in the Peshwa's records:—

"In the 'Rozkhird' or day-book of 23rd Shuwal, Soor Sun Suman Seetain Mya wu Ulluf (A. D. 1767), under 'Dufata' or diary, 'Chitneesee Putrus' or letters for continuing to Trimbuk Baboorao Moozumdar Nisbut Dabharee, as formerly, the Mokassa Umuls in Wurgaum Ghenud village.

"Two letters, one to the Muccadum of the village, the other to Ballajee Trimbuk, Komavisdar of Tullegaum and other villages.

"In the Zhurtees of Soobha Prant Joonere for Soor Sun Arba Seetain (A. D. 1767), page 37,—

"Baboorao Moozumdar Wurgaum Ghenud, Surdeshmookee on account of Nemnook	Rs.	40	14	0
Mokassa on account of Rs. 103		51	2	0

"Entries also occur in the Zhurtees of the following years, thus:—

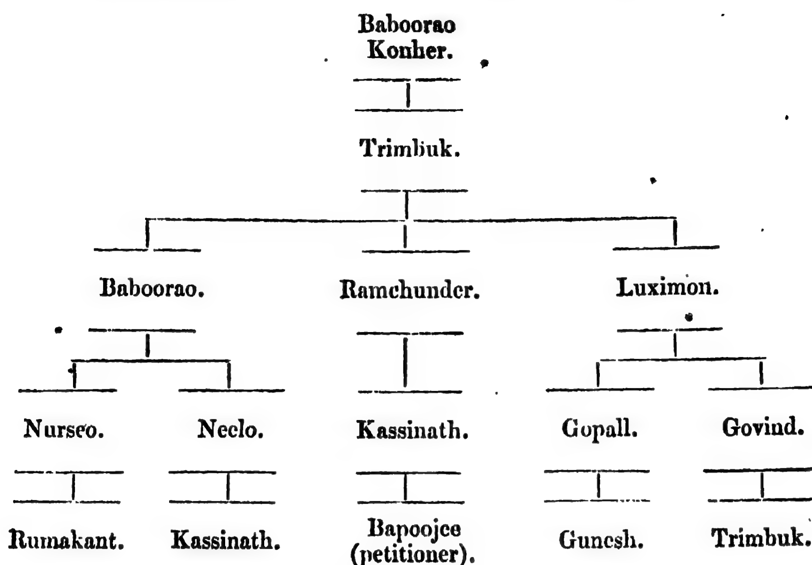
"A. D. 1768, Mokassa only	Rs.	142	0	0
1808, Mokassa and Surdeshmookee		185	5	0
1809, Mokassa only		309	12	0
1813, ditto ditto		227	6	0

"5. By a report from the Mamlutdar of Kheir Talooka, the Kumal or original proceeds of these Umuls amount to the following sums:—

"Mokassa	Rs.	153	4	6
Surdeshmookee		122	9	11
Surpatelkee		33	9	2
Total...	Rs.	309	7	7

"The above are, however, liable to fluctuations with the revenue of the village.

"6. The following is the Pedigree of the original grantee:—



"7. The Surdeshmookee and Surpatelkee Umuls are subject to service, and must, according to the custom of the country, be continued to the heirs of the deceased. The Mokassa Umul is stated, in an order dated 15th April 1820, by the Collector to the Mamlutdar of Kheir Talooka, to be a Zat Surinjam or personal allowance to be continued to Baboorao Trimbuk, but it is not inserted in the list of Surinjams in this office.

"8. In the original Sunud, which is represented to have been lost, and the copy of which is produced by the petitioner, no mention is made of the grant being in perpetuity: the period of enjoyment from the date of this Sunud to the conquest of the Deccan is ninety-eight years, and by two generations in succession to the original grantee.

"9. The period of enjoyment prior to the conquest,—reckoning from the date of the original documents produced, viz. the Adnyaputrus granted by Dabharee and Ballajee, Bajee Rao Peshwa,—is from the former sixty-six years, and from the latter sixty-one years, and both by one generation in succession to the original grantee. Both these Adnyaputrus, however, refer to the previous enjoyment of the Umuls, and in that granted by Dabharee special reference is made to their having been held by Baboorao Konher, the father of Trinbuk Baboorao, to whom they were then continued.

"10. Should this Mokassa Umul be considered as coming under the operation of the Rules for the admission of claims to succeed to Inam lands and charitable allowances, &c. passed by Government under date 23rd June 1842, the petitioner's claim would appear, under clauses 1st and 3rd, Section II., to be deserving of the favourable consideration of the Honorable the Governor in Council."

* 14. The Collector was mistaken in supposing the village of Wurgaum Ghenud to belong to Sindia, and to be held from Sindia by Prubhakur Junardhun Surinjamee; it is one of the villages ceded by Sindia to the British Government under the Treaty of Surjé Anjungaum, and found at the conquest of the Deccan in the hands of Prubhakur Junardhun, to whose father Sindia had previously to the Treaty alienated it; and it was, under the orders conveyed in the Revenue Secretary's letter No. 2249, of the 15th November 1829, continued by the British Government—not by Sindia—as a life-grant to the then holder, Prubhakur Junardhun.

15. It will be observed that the Collector of Poona in his 7th paragraph alluded to the fact of the Mokassa Umul of Wurgaum Ghenud having been held in Surinjam,—adding, however, "but it is not inserted in the list of Surinjams in this office." I have in my 12th paragraph explained that it was included in the lists of Surinjams furnished to the Agent for Sirdars on the 15th September 1843 from the Poona Collector's Office.

16. With his report, the Collector submitted to Government translations of the four documents produced by (r. 2) Bapoojee Kassinath, and enumerated in the 3rd paragraph of the report; and it is remarkable that in not one of these documents was the holding specified or alluded to as an Inam.

17. On the receipt of Mr. Courtney's report, Government questioned his definition of the Surdeshmookee and Surpatelkee Umuls as being subject to service, and called for some further explanation, to which, and to the correspondence which took place on the subject, I need not further allude, as it does not, apparently, affect the question upon which my report is now required.

18. In a letter No. 4061, of the 30th November 1848, the Revenue Commissioner Southern Division, Mr. Townsend, laid before Government the explanation called for regarding the Surdeshmookee and Surpatelkee Umuls, and concluded his report with the following recommendation:—

"11. From a consideration of the correspondence now submitted to Government, I am induced respectfully to state my concurrence in the Poona Collector's report dated 16th November 1847, No. 2469, already before Government."

19. Government on the 29th December 1848 replied (Mr. Acting Revenue Secretary Courtney's letter No. 8082) to the Revenue Commissioner in the following terms:—

"I have been directed to acknowledge the receipt of your letter No. 4061, dated the 30th ultimo, with enclosures, furnishing the information called for in Mr. Secretary Goldsmid's letter No. 5084, of the 7th December 1847, to the address of the Collector of Poona, and to convey to you the authority of the Right Honorable the Governor in Council to the continuance of the Surdeshmookee and Mokassa Umuls therein referred to, hereditarily, as recommended by you.

"2. The Surpatelkee is stated to be an Umul or sub-division of the

revenue; I have been instructed to request that you will state whether this is correct, or whether it is not a Wutun, and the holder, of necessity, a Surpatel?"

20. A good deal of correspondence ensued regarding the Surpatelkee Umul, which ended in the following order, conveyed to the Revenue Commissioner in the Revenue Secretary's letter No. 4411, of the 12th July 1849:—

"Adverting to your endorsement No. 2487, dated the 5th ultimo, handing up a letter from the Acting Collector of Poona regarding the Surpatelkee allowance in the village of Wurgaum, claimed by Bapoojee Kassinath, Moozumdar, I have been directed to state that as this item, whether an Umul or a Huk, would seem to be hereditary independently of service, the Right Honorable the Governor in Council has been pleased to sanction it being so continued, as has already been sanctioned in Mr. Acting Secretary Courtney's letter No. 8082, of the 29th December last, in the case of the Surdeshmookee and Mokassa Umuls claimed by this individual."

21. The case very shortly afterwards again came before Government, consequent on representations made by various members of the family, who complained that the holding had been entered in the wrong name in the Collector's accounts, and this resulted in the following order, conveyed in the Revenue Secretary's letter No. 677, of the 19th January 1850, addressed to the Revenue Commissioner Southern Division:—

"With reference to your report No. 1685, dated the 27th ultimo, on the petition from Neelkunt Baboorao Moozumdar, inhabitant of Kusba Chakun, Purguna Kheir, of the Poona Collectorate, I have been directed by the Right Honorable the Governor in Council to acquaint you, for the information of the Collector of Poona, that the continuance as hereditary of the allowances sanctioned in the Government letters of 29th December 1848, No. 8082, and 12th July 1849, No. 4411, has been authorised in favour of the male lineal descendants of Baboorao Konher.

"2. The petitioner has been referred to the Collector of Poona for a reply to his petition."

22. In the meantime, however, the holding, which had been included as a Surinjam in the revised lists of the 26th October 1847, had been sanctioned as such by the Honorable Court, and its continuance as a grant of A. D. 1767 to two generations from the conquest, with a pension of half the net proceeds to the third generation, authorised under the general sanction conveyed in the 8th and 12th paragraphs of their despatch No. 15, of the 22nd May 1849.

23. The Agent for Sirdars, accordingly, made the requisite intimation to the Collector of Poona in the following letter, No. 61, dated the 16th February 1850:—

"In forwarding to you an extract from the revised Surinjam list (No. 18 of Class II.) which has been sanctioned by the Honorable Court of Directors, I have the honour to request that you will continue the Surinjam in

your Collectorate to Neelkunt Baboorao, who is entered as the legal heir of Baboorao Trimbuk Moozumdar."

24. On the receipt of the Agent's letter, the Collector of Poona made the following report to Government, No. 481, of the 23rd February 1850:—

"In your letter to the Revenue Commissioner Southern Division, No. 677, of the 19th ultimo, Government sanctioned the continuance as hereditary of the allowances authorised in the Government letters dated 29th December 1848, No. 8082, and 12th July 1849, No. 4414, in favour of the male lineal descendants of Baboorao Konher Moozumdar.

"2. I have now the honour to submit copy of an 'extract from the statement of modern Saranjams in the Deccan which are to be held for one generation after the death of the present incumbent,' forwarded to this office by the Acting Agent with his letter No. 61, of the 16th instant, copy of which is also annexed, from which it will be seen that I am therein requested to continue, on the tenure set forth in the extract, to Neelkunt Baboorao, the legal heir of Baboorao Trimbuk Moozumdar, the Mokassa of the village of W[illegible]ana Ghenud, which is one of the allowances sanctioned to be continued as hereditary by the orders of Government above referred to.

"3. In the 4th column of the above extract it is, you will observe, stated that 'the Surinjam to be continued to the second, and the prescribed pension granted to the third generation,' and in the 15th column that 'the portion claimed by the Kaukeons who have appeared is to be continued hereditarily.'

"4. Baboorao Trimbuk, the person stated in the 4th column of this extract to be the present incumbent, died in March 1846, and from the genealogical table given in the 6th paragraph of my report No. 2469, of the 16th November 1847, it is shown that the male heirs of the original grantee, Baboorao Konher, are now divided into three distinct branches.

"5. Orders have been already issued, in conformity with the instructions quoted in the 1st paragraph, to enter the allowances sanctioned by Government as hereditary to the male lineal descendants of the original grantee, in the names of the three branches into which the family is now divided: I have, therefore, the honour to request the orders of His Lordship in Council as to whether any alterations should now be made with respect to the Mokassa Umul, which is entered, as I have above stated, in the extract received from the Agent, in the name of Neelkunt Baboorao alone, and on a different tenure, in supersession of the instructions contained in your letter above adverted to."

25. In reply, the Collector of Poona was informed, in the Revenue Secretary's letter No. 2409, of the 30th March 1850,—

"With reference to your letter No. 481, dated 23rd February last, I have been directed by the Right Honorable the Governor in Council to request you will favour him with information as to whether the claims of

the Karkoons referred to in column 15 of the extract of the statement appended to the letter No. 61, dated 16th ultimo, from the Acting Agent for Sirdars, will be found at all embarrassing if you are authorised to continue to act on the instructions given in Government letter No. 677, dated 19th January last."

26. The opinion (No. 192, of the 9th May 1850) of the Agent for Sirdars, which Government had called for, and which is below transcribed, was submitted with the Poona Collector's letter No. 1263, of the 21st May 1850:—

"I have the honour, in the absence of the Agent on leave, to acknowledge the receipt of your letter No. 1067, dated the 26th ultimo, requesting an early reply to your previous communication, No. 841, dated the 4th idem, transmitting copy of a correspondence relative to the Surinjam of the late Neelkunt Baboorao Moozumdar, and asking for the information required by Government in their letter No. 2407, of the 30th March last.

"2. In reply, I beg to observe that the Karkoons referred to in the 15th column of the extract of No. 18 Class II. from the statement of the modern Surinjams in the Deccan are identical with the Moozumdar. The remark in that column has been transcribed from the Honorable Mr. Elphinstone's statement, from which an extract is hereto appended, which will show that it was made by him on the name of the Senaputee. The portion there referred to is identical with the possession of the Moozumdars, who were Karkoons of the Senaputee. The tenure, however, stated by Mr. Elphinstone, has been changed, in consequence of the Rules laid down by the Honorable the Court of Directors in 1842, which led to the formation of the Surinjam lists.

"3. I am not aware of the grounds on which the decision communicated in Government letter No. 677, dated 19th January last, was arrived at, but for the reason above stated, I do not think,* in the event of Government's adherence to it, that the claims of the Karkoons will be found at all embarrassing."

27. Government replied in their Revenue Secretary's letter No. 4555, of the 8th June 1850, and authorised the Collector of Poona "to continue to act on the instructions given in the Government letter dated the 19th January last, No. 677."

28. This decision was protested against by (a) Neelo Baboorao, who had been entered in the revised Surinjam lists as the person to whom the Surinjam should be continued as the second generation, and who on the 26th

* The fact of this being the holding of *only one out of three* Karkoons of Dabharee, whose Surinjams Mr. Elphinstone continued, and of all three holdings having been continued on *precisely the same* tenure, must have escaped the Agent: one of these Surinjams is entered in the revised lists as No. 22 of Class I.; the other does not appear to be entered at all.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

January 1851 addressed Government, requesting that it might be so continued to him as the rightful heir.

29. This petition was referred to the Agent for Sirdars, who, on the 5th March 1851, No. 110, reported as follows :—

"The Agent for Sirdars in the Deccan has the honour to refer the Right Honorable the Governor in Council to Mr. Hunter's report dated 10th February 1850, on a petition from the petitioner, and to the Government letter replying thereto, No. 1064, dated 5th March 1850, and to state that, in conformity with the Surinjam lists of 1847, the petitioner alone* is entitled by the law of descent to hold the Surinjam for his life, with a pension equal to half the proceeds of it to his children, the petitioner being the sole heir of Baboorao Trimbuk Moozumdar, the first British grantee, as will appear in No. 18 of Class II. of the Surinjam list of 1847.

"It appears, however, from a communication† received from the Collector of Poona, that on the death of the father of the petitioner, the Surinjam formed a subject of inquiry in the Territorial Department, the result of which was that Government sanctioned (letter from Secretary in the Territorial Department, Revenue, to the Revenue Commissioner Southern Division, No. 677, dated 19th January 1850) the continuance of it on hereditary tenure to the male descendants of the original grantee, by whom it is now enjoyed.

"When the final instructions of Government on the Surinjam lists were forwarded to the Collector of Poona, the question was again agitated, as appears from the papers noted in the margin, and Government finally adhered to their former decision in favour of the male descendants of the original grantee.

"Letter from the Collector of Poona to the Secretary in the Territorial Department, No. 481, dated 23rd February 1850.
"Reply to the above, dated 3rd March 1850, No. 2409.
"Letter from the Chief Secretary, No. 4555, dated 8th June 1850, to the Collector of Poona."

"The Agent would respectfully observe that the decision of Government is not in accordance with the established Rules which regulate the descent of Surinjams. The parties to whom the Surinjam has been transferred are the collateral heirs, and their names do not appear in the Surinjam list of 1847. Should this decision be

* A certificate of heirship, dated the 9th November 1846, No. 861, appears to have been granted, under the provisions of Regulation VIII. of 1827, by Mr. Brown, *as Judge*, to Neelo Baboorao, *after* the receipt of a protest dated the 5th September 1846 from the other members of the family, bringing to the Judge's notice the existence of (F) Rumakant and others.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

† This appears to be the communication No. 6519, of the 11th October 1850, referred to in the 15th clause of the 60th paragraph of this letter as that in which the Collector distinctly stated that "Rumakant Nursing belonged to the *eldest* branch of the family."

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

adhered to, a precedent will be formed by which others with similar pretensions will come forward and urge their claims."

30. I should here state that on the death of (c) Baboorao Trimbuk the Khandeish portion of the Surinjam had, the Collector, Mr. Elphinstone, reported (No. 743, of the 17th May 1851, to the Revenue Commissioner Northern Division), been continued to the son (E) Neelo Baboorao, on the authority of the revised lists: this, however, turns out not to have been the case, and the mistake has been pointed out by Mr. Elphinstone's successor, Mr. Mansfield, in paragraph 2 of letter to Government No. 280, of the 29th January 1853.

31. The proceedings in this case were reported to the Honorable Court of Directors by the Bombay Government in paragraphs 21 to 23 (below quoted) of a despatch No. 62, dated the 15th July 1850:—

"21. In paragraphs 135 to 137 of our letter dated the 16th October last, No. 133, we had the honour to inform your Honorable Court that we had authorised the continuance, hereditarily, to Bapoojee Kassinath Moozumdar and others, of certain Umuls in the village of Wurgaum Ghenud, in the Kheir Talooka of the Poona Zilla.

"22. When submitting this case for our consideration in the Revenue Department, the Collector, it appears, was not aware that the Mokassa portion of the claim had been considered and reported on by the Agent for Sirdars, nor were we ourselves aware, when the claim came before us the second time, that it had been already decided in the Political Department in a less favourable manner to the claimant, consequent on your Honorable Court's instructions conveyed in paragraph 30 of your political despatch No. 15, dated the 22nd May 1849.

"23. Our reasons for adhering to the decision passed in the Revenue Department are detailed in the accompanying proceedings."

32. The reply of the Honorable Court, conveyed in the 65th and 66th paragraphs of their political despatch No. 10, of the 12th February 1851, was as follows:—

"Revenue letter dated 15th July, No. 62 of 1850, paragraphs 21 to 23, have authorised the continuance hereditarily to Bapoojee Kassinath Moozumdar and others, of certain Umuls in the village of Wurgaum, Zilla Poona."

"65. When you passed this decision in the Revenue Department, you were not aware that we had, in our political letter dated the 22nd May, No. 15 of 1849, paragraph 30, decided that the Mokassa Umuls of this family should not be considered hereditary. You are, however, still of opinion that the decision in the Revenue Department was correct, and your President states that although the original grant, as ascertained from the Sunuds and records, is shown in the revised Surinjam list to have been conferred in A. D. 1767, the documents forwarded with the Collector's report of 16th November 1847 show that the allowance was originally conferred in A. D. 1719.

"66. If this be correct, the allowance should, under the general rule laid

down by us, be considered hereditary ; but it is with much regret that we learn the existence of so serious an error in the Surinjam lists, on which we necessarily depended for the grounds of fact on which all our decisions on the continuance or resumption of Surinjams have been passed."

33. The whole case was next referred to the Inam Commissioner, Mr. Hart, who was desired, in the Revenue Secretary's letter No. 7301, of the 15th July 1851, to submit his "opinion on the point at issue as to the parties to whom the grant should be continued."

34. Mr. Hart on the 4th August 1851 submitted the following report, No. 7:—

"I have the honour of replying to your letter No. 7301, dated 15th July 1851, regarding the continuance of certain Umuls claimed by some descendants of Trimbuk Baboorao Moozumdar.

"2. The copies of correspondence which accompany your letter show that, after much consideration, Government decided (vide Government letters Nos. 667 and 4555 of 1850, dated 19th January and 8th June in that year) that all of the Umuls in question should be continued hereditarily to the descendants of Baboorao Konher,—that is, as I understand it, that Government has pledged itself not to resume any of the Umuls so long as there may be in existence any male heir of male descent from Baboorao Konher.

"3. At the same time, it appears from Mr. Elphinstone's list, from those since prepared by the Agent for Sirdars, and from the nature of the title-deeds forthcoming, that the Umuls of the village, however designated, have been held as personal Surinjam by the claimant's family.

"4. It would, therefore, appear that it is the hereditary continuance of a personal Surinjam to which Government has pledged itself, as stated above in my 2nd paragraph.

"5. If this be the case, in order to redeem the pledge of continuance to the male heirs of Baboorao Konher, and at the same time to uphold the custom of Surinjamee succession, a breach of which might lead to inconvenience, as explained in the last paragraph of the Agent's report to Government, No. 110, dated 5th March 1851, it will be necessary, I think, that Government should, while declaring the Umuls hereditary as above, order that they should be made over to the management of the person who may be the eldest son of the eldest branch of the family, leaving its other members to settle with him for any shares to which they may, possibly, have a right.

"6. In applying this plan, Government might issue a notice to the several members of the family, informing them that the Umuls are to be continued by Government, according to its pledge, so long as there shall be in existence any male heir in male descent from Baboorao Konher, but that the name of the person who from time to time may be the representative of the eldest branch of the family is to be entered in the accounts,

and he alone is to be recognised as Waheewatdar, the others being left to settle with him for any claims they may have on him for shares or otherwise. It does not clearly appear from the genealogical tables contained in the correspondence* whether, according to this plan, the Umuls should be given up to the management of Neelo Baboorao, or his brother Nurseo, or (if he be dead) to the son of the latter; but one of these three must represent the eldest branch of the family."

35. The Inam Commissioner's report, quoted in the last paragraph, was on the 27th September 1851 referred to the Collectors of Khandeish and Poona, with letters from the Revenue Secretary, numbered respectively 9437 and 9438, inquiring whether they (the Collectors) could "see any objection to the arrangement proposed by the Inam Commissioner regarding the continuance of certain Umuls claimed by some descendants of Trimbuk Baboorao Moozumdar."

36. The Collector of Poona, Mr. Courtney, replied on the 30th September 1851, No. 2807, that he was "aware of no objection to the arrangement proposed by the Inam Commissioner: it seems, however, to be a point which Government alone is competent to decide."

37. The Collector of Khandeish, on the 29th January 1853, No. 280, replied that he could "see no objection to the management of these Umuls being made over to the eldest son of the eldest branch of the family, whose name should be entered in the village accounts."

38. With the Chief Secretary's letter No. 3941, of the 30th August 1851, the past proceedings (*exclusive* of the Inam Commissioner's report of the 4th August 1851, No. 7) in this case were, "together with an extract paragraphs 65 and 66 from a despatch from the Honorable the Court of Directors, No. 4, dated the 12th of February last," (quoted in paragraph 32 of this letter,) forwarded, for any remarks or explanation he might have to offer, to the Agent for Sirdars, Mr. Brown, whose "special attention" was "requested to the remarks of the Honorable Court at the close of the 66th paragraph."

39. The Agent's reply, No. 432, of the 15th December 1851, is below transcribed:—

"I have the honour to acknowledge the receipt of your letter, No. 3941, dated the 30th August last, transmitting, for any remarks or explanation I may have to offer, copies of proceedings on the subject of certain Umuls in the village of Wurgaum Ghenud, in the Poona Zilla, together with an extract paragraphs 65 and 66 from a despatch of the Honorable the Court of Directors, No. 4, dated the 12th February last.

"2. In reply, I beg to state that the name of Baboorao Trimbuk

* "1*st*, in paragraph 6 of Poona Collector's report No. 2469, dated 16th November 1847; 2*nd*, in paragraph 3 of the Right Honorable the Governor's Minute dated 18th March 1850."

Moozumdar is recorded in the revised Surinjam lists under No. 18 in Class II., and the following possessions are therein shown to belong to him :—

" Mokassa of Wurgaum Ghenud, in Poona	Rs.	409	4	0
Ditto of Samodeh, in Khandeish		550	15	6
Total....Rs.		960	3	6

"3. The Umuls designated Surdeshmookee and Surpatelkee are not entered in the Surinjam lists.

"4. The grounds on which the two Mokassas have been entered in the Surinjam lists are that the Commissioners in the Deccan, the Honorable Mr. Elphinstone and Mr. Chaplin, have considered the Mokassas as Surinjam, and these Umuls are, accordingly, found in their respective lists, from which extracts are annexed. The Karkoons alluded to by the Commissioner are specified by Mr. Chaplin: one of the three Karkoons there mentioned, Babоorao Trimbuk Moozumdar, is stated to have possessed a Surinjam of Rs. 1,424-10-0 (Kumal estimate). The order of the Commissioner for the restoration of the Umuls shows that this amount was made as follows :—

" Mokassa of Wurgaum Ghenud ....Rs.		409	6	0
Ditto of Samodeh.........................		1,015	4	0
Total....Rs.		1,424	10	0

"Value of the Mokassa stated in the Chor Chittee and in the revised list is the same as regards the village of Wurgaum, but it differs as regards the village of Samodeh, which difference is to be accounted for by the circumstance that the amount stated in the revised Surinjam lists is net revenue, while that stated in the Chor Chitee is the Kumal or gross amount.

"5. I beg to annex translations of the two Sunuds issued by the Peshwa Madhow Rao Bullal, dated 1768 and 1769 respectively. These documents distinctly state the tenure of the grant to be Surinjam, and allude to the year 1767, which, in the absence of any further proof, has been held as the date of the grant. The Commissioner in the Deccan viewed it in the light of Surinjam, and continued it accordingly. I do not, therefore, see any reason why the grant should be disposed of under the Rules alluded to in the 10th paragraph of the Collector Mr. Courtney's report dated the 16th November 1847, as Inam lands, particularly as the Collectors of Khandeish and Poona have both in their Jharee Putrus drawn out on the 15th September 1843 (extracts of which are annexed), have [s. o.] recognised and stated the Mokassa of these two villages as Surinjams, and the year they were granted is specified as A. D. 1767.

"6. Baboorao Trimbuk was the first British grantee, and the Surinjam held by him should, according to the rule of succession to Surinjams, descend to his son Neelo Baboorao. The collateral heirs, Bappoojee Kassinath and others, can, therefore, have no claim to a Surinjam of their grand-uncle.

"7. Baboorao's ancestors were Karkoons of Dabharee, and, therefore,

the grant to them was necessarily of a Surinjam character. I would notice here that the term Surinjam came into use in the reign of Madhow Rao Bullal, who called by that term all former grants which were made on condition of service to the State, and which in the infancy of the Muratha empire had been designated by vague terms signifying support, maintenance, remuneration, &c.

"8. With reference to the date of the grant, it appears that Bapoojee Kassinath, the grand-nephew of the deceased Baboorao Trimbuk, produced a paper purporting to be a copy of a Sunud of the Sattara Raja dated 1719. In the absence of any proof of the existence of the original Sunud, and of its authenticity, I do not consider that it should be considered a valid document. Another paper, purporting to be an order of Dabharee Senaputee dated 1752, is produced by the same person, but I do not see among the proceedings before me how its authenticity was tested. The third is an order of the Peshwa dated 1757, but it is not registered in the Peshwa's Duftur. The fourth is an order from the same authority dated 1767, which alone, Mr. Turquand says in his letter dated the 11th April 1848, is registered in the Duftur. The accounts in the Duftur carry back the enjoyment of the Umuls only to the year 1763, which would not make the grant hereditary. I would, therefore, view the first three Sunuds produced by Bapoojee with suspicion, and more so the copy of an old Sunud alleged to have been lost, until their authenticity was established by confirmatory evidence.

"9. Baboorao Trimbuk did not present himself at the time when the Surinjam lists were under preparation, and, therefore, the date of the grant given in the list is that which was found in the extant records of the Peshwa:* Baboorao is accordingly placed in Class II. of Surinjams as grantee of the year 1767, and the *onus probandi* will rest with his son, Neelo Baboorao, of proving satisfactorily that the grant was dated before the year 1751, when only it would be hereditary to the male lineal descendant of the first British grantee, Baboorao.

"10. I trust that the above explanation will remove the unfavourable impression on the mind of the Honorable the Court of Directors, as conveyed in paragraph 66 of their despatch dated the 12th February 1851.

"11. Copies of the proceedings received with your letter under reply are herewith returned."

40. At this stage of the proceedings the correspondence referred to in paragraphs 35 to 39 of this letter was referred to the Inam Commissioner, Mr. Hart, who was, in the Revenue Secretary's letter No. 620, of the 23rd September 1852, desired to submit a "report and opinion thereon."

* A. D. 1767 was the date of grant entered in the lists, but the Agent has himself stated in the preceding paragraph of this letter,—"The accounts of the Duftur carry back the enjoyment of the Umuls only to the year 1763."

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

41. The case was referred to me by Mr. Hart, who in his letter No. 1782, of the 21st March 1853, directed me to furnish any obtainable information "as to the real nature of the claims of Neelo Baboorao Moozumdar and his family."

42. The remarks of the Honorable Court of Directors (quoted in paragraph 32 of this letter) on the explanation afforded by the Agent for Sirdars have been received in the 12th paragraph of their despatch No. 12, of the 13th March 1853, below quoted :—

"Para. 12. The Mokassa Umuls, after having been included in the Surinjam lists, and subjected to the Rules applicable to Surinjams of modern date, were decided in the Revenue Department to be hereditary possessions dating from A. D. 1719. Mr. Brown, the Agent for Sirdars, by whom the lists were compiled, has, however, shown strong reasons for adhering to the opinion that the Umuls are Surinjams, and for considering the evidence on which they have been decided to be of ancient date as inconclusive. Mr. Brown's letter has, we observe, been referred to the Revenue Department for further consideration."

"79. Further correspondence respecting the Mokassa Umuls of the late Trimbuk Baboorao Moozumdar."

43. My report upon this case should, it appears, be confined to the following points:—

1*st*.—On what tenure (*i. e.* whether Surinjam or Inam) was this holding originally granted and held up to the introduction of the British Government?

2*nd*.—To whom is the holding continuable on the tenure on which it was originally granted and subsequently held ?

3*rd*.—Do the past proceedings of Government render it necessary either to continue this holding on any other tenure than the one on which it was originally granted and on which it was continued by Mr. Elphinstone, or to continue it on any tenure whatever to other than the person or persons in whose names it would be entered under the existing Rules which apply to such alienations ?

44. It is to be remarked that in none of the documents, translations of which accompanied the Poona Collector's report No. 2469, of the 16th November 1847 (quoted in paragraph 13 of this letter), is there either specification of or allusion to the tenure upon which this holding was granted and held ; in each of the documents it is merely referred to as an alienation.

45. But there seems reason to believe that in this case fraud must have been committed in the Collector's Office, if, as I suppose they must be, the Murathee documents now before me, and which have been received from the Collector, are those which were on record when Mr. Courtney's report (quoted in paragraph 13 of this letter) was framed ; for I find among them two documents produced (paragraph 47 of this letter) by the claimants, which purport to be letters of injunction from the Peshwa, dated the 23rd June 1793

(13th Zilkad, Arba Teesain Mya wu Ulluf), and issued in consequence of a representation made by (B) Trimbuk Baboorao Moozumdar that he did not receive his proper share of the revenue of Wurgaum Ghenud, which share (*i. e.* the three Umuls now claimed) is distinctly specified in the Sunuds as previously held *in Surinjam* for the maintenance of his (the Moozumdar's) family.
Ekoon teen Umul poorvee passoon aplyas Sirkaratoon Sounsar bégmees
येकूण तीन अंमल पुर्वीं पासून .आपल्यास सरकारांतून संसार बेगमीस
Surinjam ahé.
सरंजाम आहे.

46. These Sunuds, however, although issued in the Peshwa's name, did not emanate directly from him; they appear to have been issued by the then Mamlutdar of Joonere, Anundrao Wishwunath Lelay, who held the Mootalikee seal (that is to say, was entrusted with full power to issue or revoke Sunuds, &c.) in those districts from about A. D. 1788-89 to 1794-95. This information, which is derived from an old hereditary Karkoon, Raojee Pendsay, who was employed in the Peshwa's Duftur sixty years ago, is corroborated by other documents found among the accounts and papers of the late Government obtained from various quarters. In the present case, portions of these two Sunuds, which it was the special business of the Furnavese to write, have been recognised by this hereditary Duftur Karkoon as being in the handwriting of the person (Anniaba Jooneerkur) who was at that time (A. D. 1793) performing the duties of the office of Furnavese in Prant Joonere.

47. Under all the circumstances, the genuineness of these two Sunuds cannot in my opinion be doubted; for, added to what I have already stated, is the fact (see paragraph 45 of this letter) of their having been produced *by the claimants themselves* before the Mamlutdar of the Kheir Talooka, Venaik Wamun, who forwarded them with a report,* No. 12, of the 13th January 1847, to the First Assistant Collector, Mr. Davidson, with whose endorsement, No. 35, of the 15th idem, the Mamlutdar's report and its accompaniments were transmitted to the Collector, Mr. Courtney.

48. But even setting aside these two Sunuds, the Peshwa's State records afford conclusive proof that the three Umuls of Wurgaum Ghenud were during the last seventy years of the Peshwa's rule held as a Surinjam, and the State records also show the Mokassa Umul of Samodeh to have been held on the same tenure. There are various accounts and documents forthcoming, *in not one of which* is the holding entered as an Inam, while it is distinctly specified as a Surinjam,—

1*st*.—A Sunud issued by the Peshwa and registered in the State diary of the 15th August 1751 (22nd Rumzan, Esunay Khumsain), resuming the Mokassa, Surdeshmookee, and Surpatelkee Umuls of Wurgaum Ghenud, then held by Dabharee (on what tenure is not specified), and granting them *in Surinjam* (Budul Mooshahira) to Narayen Rao Venkutesh.

* A list accompanied the report, and in this list these two, and the other documents produced by the claimants, are entered.

2nd.—A copy (forthcoming from among the Peshwa's records) of a memorandum dated A. D. 1767-68 (Suman Seetain Mya wu Ulluf), showing the Surinjam held by (A) Baboorao Konher,—the grandfather of the first British grantee (C) Baboorao Trimbuk,—to consist of the Mokassa Umuls of Samodeh, and the Surdeshmookee and Mokassa Umuls of Wurgaum Ghenud, together with other items.

3rd.—A Government Minute dated 9th September 1769 (8th Jummad-ool-Awul, Subain Mya wu Ulluf), resolving that (B) Trimbuk Baboorao Moozumdar Dimmut (in the service of) Dabharee, should be directed to provide for the maintenance of his mother, by assigning to her from the Surinjam then enjoyed by him a certain portion, consisting, among other named items, of half of his share of the revenue of Wurgaum Ghenud.

4th.—A Sunud issued by the Peshwa and registered in the State diary of the 8th October 1769 (7th Jummad-ool-Akhir, Subain Mya wu Ulluf), ordering the above resolution of the 9th September 1769 to be carried into effect.

49. It appears (vide paragraphs 44 to 48, and clause 2nd of paragraph 60 of this letter), then, that the three Umuls (Mokassa, Surdeshmookee, and Surpatelkee) of Wurgaum Ghenud, and the Mokassa Umul of Samodeh, continued at the introduction of the British Government by Mr. Elphinstone as Surinjam, were properly continued as such, as they had evidently been held at the close of the Peshwa's reign, and for sixty or seventy years previously, upon that and upon no other tenure.

50. The period of enjoyment under the late Government has next to be determined, as upon the date of original grant depends the tenure on which the Surinjam is continuable.

51. The whole of the Umuls composing this Surinjam were originally held by Dabharee, the "hereditary General of the Raja of Sattara's army" (vide Mr. Elphinstone's memorandum, quoted in the 10th paragraph of the Honorable Court's despatch to the Government of India, No. 9, of the 7th February 1838). When they were granted is not ascertainable, but it must have been long before A. D. 1752, and probably much about the time of the grant of the Chouth to Shahoo, in A. D. 1720, by the Emperor of Delhi, as they are all comprised in the portion of revenue thus designated.

52. Among the documents, translations of which accompanied the report (quoted in the 13th paragraph of this letter) of the Collector of Poona, is a paper purporting to be *a copy* of a Sunud from the Sattara Raja, dated in A. D. 1720, and granting the Mokassa, Surdeshmookee, and Surpatelkee Umuls of Wurgaum Ghenud to (A) Baboorao Konher Moozumdar Dimmut (in the service of) Trimbukjee Dabharee, and the original of which was represented to the Collector as having been lost. Whether such a Sunud was ever issued cannot now be ascertained, but there is nothing on subsequent record *proving* the contrary. The first specific recognition by the Peshwa of the Moozumdar's title is found in a Sunud registered in the State diary of the 21st January

1758 (10th Jummad-ool-Awul, Suman Khumsain); but this very document, which is of undoubted authority, designates this Surinjam as one of those held *previously* by the dependents of Dabharee, while in all the previous accounts which are forthcoming it is entered in ***Dabharee's*** name.

53. This Surinjam *may*, therefore, for all that is forthcoming to the contrary, have been held by the Moozumdar before A. D. 1751, and the only question which appears to remain for decision is whether a Surinjam like an Inam title must be admitted unless proved to be defective, or whether *positive proof* of its validity is essential to its recognition.

54. I have hitherto believed the same rule to apply to each description of holding (Surinjam as well as Inam); but the orders of the Honorable Court, authorising the continuance of the Deccan Surinjams according to the Rules previously enunciated, do not appear to admit of such a construction, for in the 5th paragraph of their despatch No. 15, of the 22nd May 1849, I find the following explicit definition of the principles upon which the Surinjams are intended to be continued:—

> "The general principles on which the classification of Surinjams was to be made had been laid down explicitly by us in several despatches. These Jagheers, which had been granted by the Mogul Emperors or by the Rajas of Sattara, were to be hereditary, and all which could be proved to have been held previous to 1751 were to be considered as grants by one or other of those authorities."

55. In the present case the claimants produced before the Collector of Poona, besides the alleged copy of a Sunud of 1720 from the Sattara Raja, another paper, purporting to be an original Sunud from Dabharee, continuing the Surinjam to (B) Trimbuk Baboorao Moozumdar. This document is dated the 18th Rubee-ool-Akhir, Khumsain Mya wu Ulluf, and a translation of it accompanied the Collector's report, but the translation was an incorrect one, inasmuch as it specified the Sunud to be dated in *Sulas Khumsain* Mya wu Ulluf, which corresponds with A. D. 1752-53, the correct date being *Khumsain* Mya wu Ulluf, corresponding with A. D. 1749-50.

56. As this is a point of some importance, I have taken care to inquire whether the alleged Sunud of Dhabaree, dated A. D. 1749-50, which is now before me, is the document which was produced before the Collector; and such appears to be the case, as it has been obtained from the Collector's records, together with the other documents referred to in the 47th paragraph of this letter as having been produced by the claimants before the Mamlutdar of Kheir, and it is the *only* Sunud or document purporting to have been issued by Dabharee which was so produced. Its date is, moreover, correctly entered in a statement made by the claimants, which accompanied the Mamlutdar's report (referred to in paragraph 47 of this letter) forwarded to the Collector through his First Assistant.

57. Whether Dabharee ever issued such a Sunud as that which the claimants have produced cannot be ascertained. I long ago endeavoured to obtain

possession of the records by which alone such documents could be tested, but I was obliged to report my failure to the Inam Commissioner on the 24th July 1852, No. 234 (vide paragraph 2 of report of the 24th July 1852), and Mr. Hart communicated the unsatisfactory result to Government on the 4th December following, No. 1370. The 2nd paragraph of my report is below extracted :—

"2. I left Poona early on the 2nd May following, and reached Tullegaum about 8 A. M. I found Dabharee's Wara in charge of an old Muratha retainer of the family, named Jeewaba, who must have, I fear, concealed the most useful of his master's old accounts; for though I was shown a very large Duftur, the whole of it had been very recently examined, and has on a subsequent examination been found to contain but few accounts of use to this department."

58. The remarks submitted in my 53rd paragraph apply, then, to this document, purporting to be a Sunud of Dabharee's, with, however, the exception that even supposing the Sunud to have been really issued, it required, apparently, the Peshwa's confirmation.

59. There is, thus, nothing to prove that the Surinjam continued to the Moozumdar by Mr. Elphinstone was held by his ancestors before A. D. 1751, while on the other hand there is nothing to prove that it was not so held. Its continuance, therefore, on hereditary tenure, must depend upon the decision which may be passed upon the question submitted in my 54th paragraph.

60. The revised Surinjam lists, and Mr. Brown's explanatory letter No. 432, of the 15th December 1851, seem to be faulty as regards this holding in the following instances :—

1*st*.—The 3rd paragraph of Mr. Brown's letter states,—"The Umuls designated Surdeshmookee and Surpatelkee are not entered in the Surinjam lists"; but they ought, apparently, to have been so entered, as whatever the Moozumdar's family hold or claim must be, that, and that only, which was included in Mr. Elphinstone's order (vide paragraph 3 of this letter, also paragraph 5 with its marginal note) continuing the Surinjam; on no other tenure, or by no other order was anything (any portion of the revenue of the village of Wurgaum Ghenud) continued to them by the Commissioner in the Deccan.

2*nd*.—The Peshwa's records, moreover, afford* proof that the *three* Umuls were held by the Moozumdar in Surinjam, although the one was often confounded with the other, especially in the accounts of management—an occurrence which these State records show to have been a common one in regard to alienations generally. In the present case, in a Sunud issued by the Peshwa, and shown by the Ghurnee ledger to have been registered in the State diary of the 27th December 1761 (30th Jummad-ool-Awul, Esunay

* The Sunud of 1751, quoted in 48th paragraph of this letter, shows the *three* Umuls to have been then made over to Narayen Rao Venkutesh as one Surinjam.

Seetain Mya wu Ulluf), the *three* Umuls of Wurgaum Ghenud are distinctly specified as having been previously held by, and as being then (A. D. 1761) restored to (n) Trimbuk Baboorao Moozumdar.

3rd.—The Surdeshmookee has been erroneously supposed to be *necessarily* the Wutun of a Surdeshmook, whereas it is an Umul, or a portion of the revenue originally obtained, *with the Chouth*, by the Sattara Raja from the Emperor of Delhi, but latterly corresponding in everything save amount with the Mokassa or any other Umul, and shown by the State diaries and accounts of management of the late Government to have been granted and held in Surinjam throughout the Peshwa's dominions, just as other Umuls were so granted and held; and it will be seen from the first document quoted in the 48th paragraph of this letter that all *three* Umuls (Mokassa, Surdeshmookee, and Surpatelkee) were actually granted in Surinjam in A. D. 1751 to Narayen Rao Venkutesh.

4th.—In explaining the difference between the value assigned in the Commissioner's order of release and that assigned in the revised list to the Mokassa of Wurgaum Ghenud, it is stated (paragraph 4 of Agent's letter) "that the amount stated in the revised Surinjam lists is net revenue, while that stated in the Chor Chittee is the Kumal or gross amount." But the value assigned in the revised lists is *not* the net, but the Kumal or nominal value assigned in the Chor Chittee, and entered (probably from the Chor Chittee itself) in the statement furnished by the Collector. The net value of the *three* Umuls of Wurgaum Ghenud I have ascertained from the accounts of the village to be barely one-half of the amount which the revised lists show as the net value of one Umul only.

5th.—In the 5th paragraph of the Agent's letter it is stated, with reference to two documents, translations of which accompanied it,—"These documents distinctly state the tenure of the grant to be Surinjam." But the translation of a portion of the first of these documents rendered as "these Mokassa villages" is incorrect, as there is nothing of the kind in the original, which is now before me, and which refers only to the Mokassa Umuls or Babs of these villages { Mokass babé ché Déhé / मोकास बाबे चे देहे } ;the tenure is not specified.

6th.—With reference to the same translations, it is stated in the same (the 5th) paragraph of the Agent's letter that they "allude to the year 1767, which, in the absence of any further* proof, has been held as the date of the grant." In the first of these documents the year 1767 is certainly mentioned, but only in terms which prove that the Surinjam *must* have been pre-

* The Agent has in the preceding paragraph (the 4th of the *same* letter) alluded to the further proof afforded by the Peshwa's records that the Surinjam was enjoyed as far back as 1763. (See marginal note to paragraph 39 of this letter.)

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

viously held, and that 1767 *could* not have been the date of original grant of that which was then, in A. D. 1767, (it is recorded in the document quoted by the Agent,) ordered to be released from an attachment placed upon it three years previously.

7*th.*—I have been unable to ascertain the grounds upon which the Agent in the 7th paragraph of his letter informed Government,—" Baboorao's ancestors were Karkoons of Dabharee, and, therefore, the grant to them was necessarily of a Surinjam character"; but I am not aware of any necessary connection between the two facts, or that one must have affected the other.

8*th.*—In the 8th paragraph of the Agent's letter it is stated,—" The third [of the documents produced by the claimants before the Collector of Poona—see paragraph 12 of this letter] is an order of the Peshwa, dated 1757, but it is not registered in the Peshwa's Duftur." But the document *is* registered, and the registry is shown by the Ghurnee ledger to have been made in the State diary of the 21st January 1758, (10th Jummad-ool-Awul, Suman Khumsain Mya wu Ulluf,) although the Superintendent of the Poona Duftur was not aware of the fact, and the Agent could, of course, only report the result of the Superintendent's inquiry; the registry now discovered may have been overlooked by the Superintendent's establishment, but it is, I think, most probable that the document containing it was not then forthcoming for use, being one of those subsequently extracted and arranged, as explained in the 96th paragraph of my report No. 163, of the 2nd May last.

9*th.*—In the 9th paragraph of the Agent's letter it is stated,—" Baboorao Trimbuk did not present himself at the time when the Surinjam lists were under preparation, and, therefore, the date of grant given in the list is that which was found in the extant records of the Peshwa." But it does not seem that (c) Baboorao Trimbuk was ever desired to present himself, and I have already explained (clause 6 of paragraph 60 of this letter) the date of grant assigned in the lists not to be borne out by the Peshwa's records of any period.

10*th.*—The revised lists and explanatory letter both show (c) Baboorao Trimbuk " to have been the first British grantee, at whose death the Surinjam, as one continuable for two generations from the conquest, would be enjoyed by his son, (E) Neelkunt Baboorao" ; but this was not the case, as (c) Baboorao Trimbuk's *eldest* son, (D) Nursing, had died previously, leaving a son named (F) Rumakant: the second generation had, therefore, passed away, (orders of the Honorable Court, communicated to the Agent in the Chief Secretary's letter No. 208, of the 12th January 1850,) and the Surinjam had lapsed, a pension equal to half its net proceeds being payable to (F) Rumakant.

11*th.*—The revised lists, however, were prepared before the receipt of the Honorable Court's orders under which the deceased (D) Nursing was to be considered as the second generation, but they are nevertheless erroneous, inasmuch as (D) Nursing's son, Rumakant, was the person whose name

ought to have been inserted in column 12 of the lists instead of that of (E) Neelkunt.

12th.—The statement (Jharee Putru) of the Collector of Khandeish, referred to in the 5th paragraph of Mr. Brown's explanatory letter, and in the 16th column of the revised lists, distinctly pointed out (column 12 of Collector's statement, as translated) that (C) Baboorao Trimbuk had had *two* sons, one of whom had died, leaving male issue; but no inquiry whatever seems to have been made. *With* such positive information on record, I cannot suppose that the Agent would have inserted (E) Neelkunt's name in the lists had he (Mr. Brown) been aware of the contents of the Khandeish Collector's statement, which must, therefore, I conclude, have been withheld from him.

13th.—In the 5th paragraph of the Agent's explanatory letter it is stated,—"The Collectors of Khandeish and Poona have both, in their Jharee Putrus drawn out* on the 15th September 1843 (extracts of which are annexed), have [s. o.] recognised and stated the Mokassa of these two villages as Surinjams, and the year they were granted is specified as A. D. 1767." But a reference to the Khandeish Collector's statement, translations of which accompanied Mr. Brown's explanation, will show that the Collector of Khandeish assigned, (column 9 of Collector's statement as translated,) as the "date of the Sunud as ascertained from records," not 1767, but the "*1st February* 1820."

14th.—The age of (E) Neelkunt Baboorao, which was, according to the Poona Collector's statement, thirty-one years in 1843, and, according to the Khandeish Collector's statement, thirty-six years in 1844, is entered in the revised lists of 1847, purporting to be framed from these statements, *as twenty years.*

15th.—In the 6th paragraph of his explanatory letter dated the 15th December 1851, the Agent, Mr. Brown, stated,—"Baboorao Trimbuk was the first British grantee, and the Surinjam held by him should, according to the rule of succession to Surinjams, descend to his son Neelo Baboorao. This statement was made *after* the receipt of the Honorable Court's orders on the subject of succession to Surinjams, which were communicated to the Agent in the Chief Secretary's letter No. 208, of the 12th January 1850; but not only were the Honorable Court's orders on record, but the Agent had received from (E) Neelo Baboorao himself a Murathee letter dated *the 11th October* 1850, referring to (F) Rumakant Nursing as one of the persons in whose names the Collector of Poona had entered the holding, and the Collector, to whom (E) Neelo Baboorao's letter was forwarded by the Agent, distinctly stated in his Murathee reply, No. 6519, of *the 11th*

* The translation accompanying the Agent's letter shows the Khandeish Collector's "Jharee Putru" to be dated *the 22nd April* 1844.

T. A. COWPER, Captain,
Assistant Inam Commissioner.

October 1850, that (F) Rumakunt Nursing belonged to the *eldest* branch of the family. How *after this, and without inquiry,* the Agent on the 15th December 1851 informed Government that (C) Baboorao Trimbuk's Surinjam "should, according to the rule of succession to Surinjams, descend to his son Neelo Baboorao," I am unable to understand.*

61. What I have recorded in the last paragraph disposes, I think, completely of the question as to *whom* the Surinjam is continuable. It is clear that the person whose name is entered in the revised lists, (E) Neelkunt Baboorao, has no claim whatever, (F) Rumakant being, as the eldest son of the eldest son (D) of the first British grantee (C), the person whose name ought to have been entered. But it remains to be ascertained whether (F) Rumakant is alive; he is stated to be now at Gwalior, and to be twenty years of age. (Statement of (E) Neelo Baboorao, recorded before Captain Cowper on the 2nd August 1853.)

62. I have now only to inquire whether Government appear pledged to continue this Surinjam to any other person or persons than (F) Rumakant; and on this point there does not appear to be any doubt. The Government orders which have been already passed have been arrived at not only through misinformation afforded by their own officers, but also in consequence of false statements put forward by (E 2) Bapoojee Kassinath, who represented the holding to the Government on the 5th June 1847 as one which his family had "enjoyed in Inam from generation to generation"; whereas he, (E 2) Bapoojee Kassinath, must have well known the holding to have been enjoyed as a Surinjam under the Peshwa's† rule; to have been at the introduction of the British Government continued as a Surinjam; and to have been held as a Surinjam by the first British grantee, (C) Baboorao Trimbuk, from 1827 to his death in March 1846. Added to this, (E 2) Bapoojee Kassinath, in endeavouring to procure the recognition of Government to his claim to that to which he had no right, did so to the prejudice of the rightful claimant, (F) Rumakant, to whom (E 2) Bapoojee Kassinath carefully avoided to allude.

63. It was on such a statement that the inquiry commenced which terminated in the declaration (quoted in paragraph 21 of this letter) by Government on the 19th January 1850, "that the continuance, as hereditary, of the allowances sanctioned in the Government letters of the 29th December 1848, No. 8082, and 12th July 1849, No. 4414, has been authorised in favour of the male lineal descendants of Baboorao Konber."

* The Agent appears to have made a similar erroneous statement in his report No. 110, of the 5th March 1851, quoted in the 29th paragraph of this letter; and yet in the 2nd paragraph of the same report to have recorded the existence, though not the *whole* of the contents of the very communication from the Collector of Poona (No. 6519, of the 11th October 1850) which distinctly pointed out the existence of (F) Rumakaut, and the fact of his belonging to the *eldest* branch of the family.

† Memorandum, translation of which accompanied the Revenue Secretary's memorandum No. 2111, of the 18th June 1847, is *one* of these statements.

64. That this declaration has become null and void I have taken for granted, under the orders promulgated in the 34th paragraph of the Resolution passed by Government in the Revenue Department under date the 9th September 1853, that all such orders, issued "in consequence of misrepresentation, to which the claimant was a party, will forthwith be recalled on that misrepresentation being discovered."

65. My opinion, therefore, upon the points specified in my 43rd paragraph, as those to which this report should apparently be confined, is,—

1st.—That this holding, the original grant of which is not ascertainable, was held by the Moozumdar's family, certainly from A. D. 1757, and possibly previously to A. D. 1751, up to the introduction of the British Government, as a Surinjam. (Paragraphs 44 to 49 of this letter).

2nd.—That (F) Rumakant Nursing, if alive, is the person to whom alone the Surinjam can be continuable. (Paragraphs 50 to 61 of this letter.) Should Government decide (paragraphs 54 and 59 of this letter) that *positive* proof of the Surinjam having been held by the Moozumdar before A. D. 1751 is not essential to a recognition of hereditary title, it will be continuable on hereditary tenure; should positive proof be declared an essential to such recognition, it will then become a Surinjam of Class II., continuable for two generations from the conquest, with the usual pension to the third generation, and Government will have in such case to determine whether it shall be continued to the third generation, (F) Rumakant Nursing, the second having passed away by the death (clause 10 of the 60th paragraph of this letter) of (D) Nursing Baboorao; or whether it shall be resumed, and the usual pension granted to the third generation.

3rd.—That the past proceedings of Government do not render it necessary either to continue this holding on any other tenure than the one (*i. e.* Surinjam) on which it was held up to the close of the Peshwa's rule, and continued by Mr. Elphinstone at the introduction of the British Government, or to continue it on any tenure whatever to any person or persons other than (F) Rumakant Nursing, who alone can, under the existing Rules which apply to these alienations, have any claim to the Surinjam (paragraphs 62 to 64 of this letter).

66. In concluding this report, I would refer to the case as a striking illustration of that which I pointed out in my letter No. 65, of the 2nd February last, wherein I suggested certain measures for checking unauthorised successions to pensions, charitable Wurshasuns, hereditary grants, &c., and in the 5th paragraph of which I stated,—

"5. No effectual check whatever, that I am aware of, is in force to guard against the continuance of allowances in land and money to persons other than the real widows, children, or relatives of the last incumbent. A registry of births, deaths, and marriages is the only method occurring to me by which it is at all possible to guard the State against fraud, and, perhaps, great

loss on this score. This precaution is, moreover, I believe, deemed a requisite one in the Military Department, where family rolls are regularly kept to check claims and payments amounting to a mere fraction of the sums at stake elsewhere, and now adverted to."

I have the honour to be, &c.

(Signed) T. A. COWPER, Captain,
Assistant Inam Commissioner.

No. 3201.

Dated Belgaum, 5th April 1854.

In reply to the above endorsement, the Inam Commissioner begs to hand up a report, in original, No. 177, dated 1st April 1854, by his Assistant, Captain Cowper.

2. The first 42 paragraphs trace the past proceedings of Government in the case down to the period when the last despatch, No. 12, dated 30th March 1853, was received from the Honorable the Court of Directors. A few comments are made on the erroneous information supplied to Government by the reporting officers.

3. In paragraph 43 the three points for present inquiry are stated, viz.—

1*st*.—What is the tenure of the holdings?

2*nd*.—During whose lives are they continuable?

3*rd*.—Should the past proceedings in the case be held to constitute a bar to the future continuance of the holdings as *Surinjam?*

4. The Inam Commissioner begs to express his concurrence in the opinion that the holdings have always been held as Surinjam since A. D. 1757, and that there is no objection to their being treated as such for the future. But the question of determining the parties during whose existence they are continuable depends upon the date of grant that may be ascribed to the holdings. If it be anterior to A. D. 1751, then they will be continuable hereditarily; if after that date, the case will fall under another rule.

5. Capain Cowper discusses this question in paragraphs 53 to 59. The Inam Commissioner thinks that, although there is not *positive* proof, by specific entry in authentic accounts, of the fact of the Surinjam having been held by the Moozumdars anterior to A. D. 1751, yet there *is* sufficient presumptive evidence on which Government might decide that this should be considered a grant made before A. D. 1751; for the Peshwa's Sunud of A. D. 1758 (quoted in paragraph 52) describes the Surinjam as one of those held *previously by the dependents of Dabharee*, and this appears to the Inam Commissioner sufficient corroborative testimony of the issue by Dabharee of the Sunud of A. D. 1749-50, which Sunud must be admitted in evidence if, as it seems, its authenticity cannot be impugned. There are no records of Dabharee to test it.

6. The Peshwa's Sunud of A. D. 1758 might be construed as curing any defect of title in the document of A. D. 1749-50, arising from the incompetency of Dabharee to make the grant. Moreover, the alleged grant of A. D. 1720, by the Raja of Sattara, has not been rejected as worthless evidence.

7. But the Inam Commissioner would go further than this, and say that even if the claimant had not produced the Sunuds of the Sattara Raja and Dabharee as the *first* record (of A. D. 1758) in which the Peshwa specifically recognised the Moozumdar's title,—" designates the Surinjam as one of those held previously by the dependents of Dabharee" (paragraph 52),—Government would not be deciding on perfectly safe grounds unless they accepted that record as sufficient presumptive evidence of the Moozumdar having held anterior to A. D. 1751.

8. Captain Cowper suggests in paragraph 54 the difficulty in viewing the evidence in the above light in the explicit orders of the Honorable Court. But the Inam Commissioner's idea is that the words in their despatch—" all which could be proved to have been held previous to 1751"—do not imply that none but *positive* evidence from the records is to be accepted, and that presumptive evidence is not enough;—on the contrary, presumptive evidence must in justice, he conceives, be received as valid.

9. Unless, that is, the Honorable Court meant that the Surinjamdars were to prove *their own titles*, without the aid of Government. But this could scarcely have been their intention, as from the very first Mr. Elphinstone informs us that after Mr. McDonnell, his Secretary, prepared the general statement of the Jagheerdar's holdings, he " proceeded to compare the statements of the Jagheerdars with those drawn up in the Duftur, checking both by the accounts received from the Collectors. A complete registry was framed on this comparison, showing the name of the holder of each Jagheer, the date and nature of the grant, the situation of the lands, and the sources of the revenue when not drawn from land, with the Kumal or highest revenue, the revenue as stated by the Jagheerdar, and actual collections as reported by our officers." (Paragraph 5 of Mr. Elphinstone's letter to the Government of India, dated the 25th October 1819.) Surely, if a Jagheerdar had lost his documentary evidence, he would not have been denied the benefits of the evidence derivable from the public records.

10. The Inam Commissioner, therefore, considers Captain Cowper's original views to be correct. (Paragraph 54.)

11. Looking at the Surinjam, then, as one held anterior to A. D. 1751, the Inam Commissioner concurs with Captain Cowper in the opinion (paragraph 61) that the name of (F) Rumakant alone should be entered in the lists, if he be alive, and it should descend hereditarily in his line. Should Government differ, the alternative appears to be stated by Captain Cowper in strict accordance with the Surinjam Rules. (Paragraph 65.)

12. A reference on the subject of paragraph 45 might be made to the Poona Collector.

13. Government are only partially acquainted with the faulty information in this case supplied in both offices. In paragraph 60, Captain Cowper details other instances affecting in particular the treatment of the case under the Surinjam Rules.

14. With regard to the concluding paragraph of Captain Cowper's letter, the Inam Commissioner's remark in his letter to the Civil Auditor, on the 5th paragraph of his Assistant's report No. 65, was,—" If what is stated in paragraph 5 be quite correct, a remedy such as that proposed seems absolutely necessary."

15. Government will perceive that Captain Cowper has reported on this case in his usually full and perspicuous style of writing.

(Signed) C. J. Manson,
Inam Commissioner.

No. 2124 of 1855.

Political Department.

To Captain T. A. Cowper,
Inam Commissioner Northern Division, Poona.

Sir,—Referring to Mr. Manson's report No. 3201, dated the 5th April 1854, enclosing, in original, your letter No. 177, dated the 1st idem, relative to entry No. 18 of Class II. in the revised Surinjam lists of 1847, I am directed by the Right Honorable the Governor in Council to inform you that the case will be submitted for the consideration of the Honorable the Court of Directors, and in the meantime to convey to you the expression of the approbation of His Lordship in Council for the great care and ability with which you have discussed the whole subject.

I have the honour to be, &c.
(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 30*th May* 1855.

Extract Paragraphs 61 *and* 62 *from a Despatch from the Honorable the Court of Directors, dated the* 12*th December, No.* 27 *of* 1855.

Para. 61. The very full and clear report of Captain Cowper on this estate has in our opinion, as in yours, shown that there is, though not perfect proof, very strong presumptive evidence that the Umuls were in possession of the family before 1751, and we, therefore, in accordance with your recommendation, authorise you to declare them hereditary. The rightful heir is Rumakant,

whose claim, in consequence of his youth and absence, his uncle Neelkunt, and his more distant relative Bapoojee Kassinath, were able successfully to keep back.

62. We presume that you will have given due consideration to the remarks of Captain Cowper at the close of his very able report, on the absence of any effectual security "against the continuance of allowances in land and money to persons other than the real widows, children, or relatives of the last incumbent"; and we should be glad to learn what measures you propose to adopt to guard against such frauds.

APPENDIX M.

No. 207 OF 1854.

From Captain T. A. COWPER,
Assistant Inam Commissioner,

To C. J. MANSON, Esq.,
Inam Commissioner.

Dated Deoghur, Poona Districts, 13th April 1854.

SIR,—I have the honour, under the instructions noted in the margin, to report upon the Surinjam entered as No. 40 of Class III. in the revised lists submitted to Government by the Agent for Sirdars, Mr. Brown, on the 26th October 1847.

The Chief Secretary's letter No. 4175, of the 24th September 1852, paragraph 4, and Inam Commissioner's letter No. 1344, of the 1st December following.

2. This Surinjam was granted under circumstances thus described in the 4th and 5th paragraphs of the Chief Secretary's letter No. 1896, of the 9th May 1846:—

"4. No. 2 of Class I., Madhow Rao Neelkunt Poorundhuree.—This individual holds a Surinjam, consisting of seventeen villages, in the Poona Collectorate, yielding an annual income of Rs. 25,032-4-0.

"This Surinjam is erroneously stated by Mr. Warden to have been granted in the year 1743, whereas it was, under special instructions from the Honorable the Court of Directors, granted in October 1834, in lieu of a Surinjam of the annual value of Rs. 50,000, which had been held by Neelkunt Rao Madhow, the brother and adoptive father of the present incumbent. According to the practice usually observed by Government of providing for the families of Chieftains of high rank, pensions amounting in the aggregate to Rs. 9,632 were, on the resumption of Neelkunt Rao Madhow's Surinjam in 1825, granted to the widows, mother, and principal dependents of the deceased. No provision, however, was at the time made for Madhow Rao Neelkunt, the adopted son, it being considered that the family property would afford him sufficient maintenance, and also because his adoption had not been sanctioned by Government. On these grounds Government in 1826 rejected an application which was then preferred by Madhow Rao for a maintenance.

"5. In a despatch, however, dated the 5th October 1834, the Honorable the Court of Directors sanctioned a provision being made for Madhow

Rao Poorundhurce not exceeding Rs. 25,000 per annum, and this sum, after reference to the Agent for Sirdars, was fixed by Government in May 1835 as the amount of the grant to be made. Considerable delay took place in completing this arrangement, in consequence of Madhow Rao having solicited that this stipend might be commuted into a grant of land in the Poona Collectorate. In the mean time Madhow Rao received the grant in the form of a pension, and on villages of the annual value of Rs. 25,000 being finally made over to him in lieu of the pension, the Agent for Sirdars was in Mr. Chief Secretary Reid's letter in the Revenue Department, dated 5th January 1838, informed as follows:—

"'I am further desired to inform you that *this Surinjam is to be a life-*

Number.	Name of Original Grantee.	Name of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of Present Incumbent, and whether the first or second British Grantee.	No. in the List prepared in A. D. 1834.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.
1	2	3	4	5	6	7	8	9	10	11
							Rs. a. p.	A. D.		Rs. a. p.
40	Ambajee Trimbuk Poorundhuree.	Neelkunt Madhow Rao Poorundhuree.	Madhow Rao Neelkunt Poorundhuree, second British grantee.	..	Poona.	Samoodree.	371 9 7	1834	40 years	1,500 0 0
						Half of Guradee....	1,657 2 9			
						Bhewree ..	2,152 10 0			
						Bopegaon..	996 1 6			
						Chamblee..	2,390 9 2			
						Koreet Khoord..	768 4 2			
						Ditto Boozrook....	2,091 10 8			
						Bhewdee ..	592 15 9			
						Poor......	344 15 10			
						Pimplee ..	1,518 5 4			
						Sewree....	1,882 13 9			
						Deeai	3,597 6 6			
						Moonjwadee	408 10 2			
						Kullud....	2,934 13 0			
						Khanwadee.	1,422 2 5			
						Sakoordee..	1,409 8 0			
						Panmudee..	492 9 5			
						Total..	25,032 4 0			

tion of the Surinjam to him, upon which a Surinjam of Rs. 25,000 was granted him for life by an order of the Honorable Court of Directors, dated 5th October 1834.

Although this Surinjam has been granted during the lifetime of the present incumbent, yet under the general Rules laid down by the Honorable Court of Directors in the despatch dated 26th October 1842, for the preparation of these lists, this Surinjam, in reference to the date of its original grant, would become an hereditary one, and was therefore entered by Mr. Warden in Class I.

grant, a point which you are requested to explain fully to Madhow Rao, and to which effect a clause is to be inserted in the deed conferring the villages. The Governor in Council requests that you will prepare and submit draft of a deed for the approval of Government.'

It is clear, therefore, that this is a life, and not, as assumed by Mr. Warden, an hereditary grant, and that the present incumbent obtained it in virtue of an adoption unsanctioned by Government. The grant for life was confirmed by the Honorable the Court of Directors in a despatch dated the 27th August, No. 14 of 1841."

3. These instructions were carried out by the entry of the Surinjam in the revised lists as No. 40 of Class III., as shown below :—

The Names and Ages of the Incumbent's Legitimate Male Issue.	Whether the Surinjam has been continued beyond the Second Generation from the Conquest.	T	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
12	13	14		16
Narayen Rao, 6 years old.	No.	For life, and the amount of half the net proceeds to the heir as pension	No. 5, Sirdars or great Chiefs. The head of the great house of Poorundhuree came in to Sir John Malcolm, to receive his personal Jagheer, and the villages allotted his [s. o.] Sirdaree Khurch, deducting Rs. 4,357 for Durrukdars, leaves Rs 20,000; his pay as Potnuvees not to be given he has therefore to receive Rs. 50,000 Tunka. He has not received Rs. 10,000 Potnuveesee since 1792, and then only in account. Hereditary. The Rs. 20,000 for Sirdaree Khurch may however be cut off in the next generation, if reductions are desirable.	This Sirdar's name has been transferred from No. 2 of Class I. to the present list, by the instructions of Government, as conveyed in Mr. Pringle's letter of the 9th May 1845. The rise and fortunes of this family are coeval with the reign of the first Peshwas The person who first distinguished himself was Ambajee Trimbuk, the original grantee. He was appointed to the high post of Dewan to the Peshwa Ballajee Wishwunath, and there is a record in the Poona Duftur, which speaks of the grant of a Surinjam to him in Arba Arbaine (A. D. 1743). On the accession of the British Government a Chor Chittee was granted to Neelkunt Madhow Rao for the release of his personal Jagheer, amounting to Rs. 50,330-12-6, and on his death in May 1826 the Surinjam was resumed. Neelkunt Madhow Rao having no male issue to perpetuate the ancient name of his family, adopted before death Madhow Rao Neelkunt, the present incumbent, and although the adoption was unsanctioned by the Government, the usual observances enjoined by the Hindoo Shasters were followed, and the adopted son, on the demise of his father, petitioned the Government for the continua-

Besides this Surinjam there are others, which, although granted for the lifetime of the parties, have been, under the general Rules, entered in the several lists according to their respective dates of original grant, and consequently it would appear harsh to deny to this single representative of the great house of the Poorundhuree the advantages which have been, under the recent Rules, voluntarily accorded to families of less distinction.

4. Mr. Brown, in the 4th paragraph of his letter No. 178, of the 26th October 1847, transmitting the revised lists, thus alluded to the entry of this Surinjam :—

"The instructions conveyed in the 6th paragraph of Mr. Pringle's letter have been carried out, and the name of Madhow Rao Neelkunt Poorundhuree has been expunged from Class I. and placed as No. 40 in Class III. The remarks recorded by me regarding this Sirdar are for the purpose of continuing to the representative of the great house of Poorundhuree the advantages which have been, under the recent Rules, voluntarily accorded to families of less distinction."

5. Government, with reference to Mr. Brown's recommendation, replied in their Chief Secretary's letter No. 1447, of the 7th April 1848 (paragraphs 7 and 8), to the following effect :—

"7. With reference to your recommendation that the previous decision of Government in reference to Madhow Rao Poorundhuree, whose name has, in conformity therewith, been transferred from Class I. to No. 40 of Class III., may be rescinded, and that this Surinjam may be declared an hereditary instead of a life-grant, I am desired to inform you that the Honorable the Governor in Council does not consider that any sufficient reasons exist for this indulgence. Madhow Rao Poorundhuree was adopted by the late Neelkunt Rao without the sanction of Government, and great liberality has, therefore, been shown to him by conferring upon him his present Surinjam as a life-grant.

"8. The allusion which, in reiterating the sentiments of Mr. Warden, the late Agent, you have made to the antiquity of the above grant, is incorrect, since the Surinjam held by the deceased adoptive father of Madhow Rao Poorundhuree was, on his death in 1825, entirely resumed, and in authorising, in October 1834, the grant of a provision of Rs. 25,000 per annum to Madhow Rao, the Honorable Court contemplated this grant being made in the form of a stipend, and in this form it was for some time paid to him; and afterwards, at his solicitation, this stipend was commuted into a grant of land in the Poona Collectorate."

6. The revised lists were transmitted to the Honorable Court, and a general sanction was accorded to the continuance of the Surinjams entered in Class III. in the 9th and 12th paragraphs (below quoted) of their despatch No. 15, of the 22nd May 1849 :—

"9. Class III. consists of forty Surinjams, aggregate value estimated at Rs. 1,96,823, which, according to the same instructions, are resumable on the death of the present incumbents, with the grant (in most cases) to the next generation of pensions equal to half the net proceeds."

"12. Being fully satisfied with the manner in which these various lists have been prepared and examined, we hereby sanction and confirm them, with the exception of such cases as you have kept open for further inves-

tigation, and such as form the subject of special orders in subsequent paragraphs of this despatch, and we confirm the decisions which you have passed subject to our confirmation in cases as they arose, conformably to the provisions of the preceding lists."

7. The "instructions" under which the Honorable Court declared the Surinjams composing Class III. to be continuable, they had described in the previous paragraphs (the 5th and 6th) of their despatch, which are below quoted:—

"5. The general principles on which the classification of Surinjams was to be made had been laid down explicitly by us in several despatches. Those Jagheers which had been granted by the Mogul Emperors or by the Rajas of Sattara were to be hereditary, and all which could be proved to have been held previous to 1751 were to be considered as grants by one or other of those authorities. The same rule was to be applied to grants of later date, whether of Jagheers or of pensions, if originally made in commutation for Jagheers held previous to 1751. All other Jagheers granted subsequent to that date were to be continued for the lives of those who held them at the time of the conquest, and for one generation more, after which they were to be resumed, and pensions equal to half the net proceeds were to be granted for another generation. Exceptions might be made in particular cases, when the merits or the services of the family, or the popularity of the act, appeared to justify a further prolongation of their tenure; and in all cases in which Mr. Elphinstone's original recommendations were more favourable to the holders than the Rules laid down, the propriety of making them an exception was to be taken into special consideration.

"6. The lists drawn up by Mr. Brown, and now transmitted to us by you, have been framed on these principles."

8. Such are the recorded circumstances under which this Surinjam was originally granted, and is still held, and from which it appears,—

1*st*.—That the adoptive father of the present incumbent held from the British Government a large Surinjam, which had been continued by Mr. Elphinstone.

2*nd*.—That at the adoptive father's death this Surinjam was resumed, pensions to the annual amount of Rs. 9,692 being granted to the widows, mother, and principal dependents of the deceased.

3*rd*.—That no allowance was at that time made to the adopted son Madhow Rao, on the grounds of this adoption not having been sanctioned by the Government.

4*th*.—That subsequently, on the 5th October 1834, the Honorable Court of Directors sanctioned the grant of a provision to Madhow Rao to the extent of Rs. 25,000 per annum.

5*th*.—That this provision was accordingly made and enjoyed for some time by Madhow Rao, in the form of a pecuniary stipend or pension.

6*th*.—That on Madhow Rao's solicitation that the pecuniary stipend

might be commuted into a grant of land, villages of the annual value of Rs. 25,000 were made over to him, in lieu of the pension, and *as a life-grant.*

7th.—That the fact of the tenure being only for life was specially pointed out to the Agent for Sirdars, who was desired fully to explain this to Madhow Rao, and to frame the deed of grant accordingly.

8th.—That the grant for life of these villages was sanctioned by the Honorable Court on the 27th August 1841.

9th.—That in the lists of 1844 this life-grant was by mistake entered as an hereditary Surinjam.

10th.—That this mistake was pointed out to the Agent, Mr. Brown, when the lists of 1844 were returned to him for revision.

11th.—That in the revised lists this life-grant was again recommended for hereditary continuance, on the alleged grounds of its antiquity.

12th.—That the Government then again pointed out to Mr. Brown that the grant was one made for life, and granted originally by the British, and not by the Peshwa's Government.

13th.—That in spite of these reiterated orders, no alteration whatever was made in the revised lists: not only was the Surinjam not expunged as a British grant to which the Honorable Court's order did not apply, but the original recommendation that it should be continued on hereditary tenure was preserved just as it stood before.

14th.—That the Honorable Court accorded a general sanction to the Class of Surinjams in which this one was inserted, on the recorded grounds of their being supposed to be grants originally made by the Peshwa's Government.

15th.—That under the circumstances explained in the preceding fourteen clauses, this grant, which was made by the British Government, and which was specially declared to be a life-grant, stands in the revised lists as one, half of which is continuable to a second generation.

9. I infer that Government naturally supposed that their orders, a second time so emphatically recorded (paragraph 5 of this letter), must have been carried out by the Agent, Mr. Brown, who, moreover, in retransmitting the revised lists, made no further allusion whatever to this Surinjam, and I presume that the preservation, *word for word,** of the entry to which Government had objected, must have thus escaped notice.

10. That these facts did not attract the attention of the Honorable Court seems to me clear from their explicit definition (paragraph 6 of this letter) of the nature of the grants to which it was their intention that the Rules previously laid down by them should be applied, and from their distinctly expressed belief (paragraph 7 of this letter) that those Rules had been applied accordingly; but added to this, the Honorable Court have, in the 42nd paragraph of their despatch No. 10, of the 4th February 1852, specially declared

*See the "Remarks" in the extract given in paragraph 3 of this letter.

"the Surinjam Rules were never intended to apply to grants by our Government, unless these were in lieu of Surinjams previously held."

11. I have therefore submitted this report to enable Government to determine whether, under the circumstances under which it found its way into the revised Surinjam lists, the provision which was in 1834 made for Madhow Rao Neelkunt Poorundhuree during his lifetime, and which originally consisted of a pecuniary stipend, should now be considered as continuable under the Surinjam Rules, to the amount of Rs. 12,500 per annum, to a second generation.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 3238.

Dated Belgaum, 19th April 1854.

The Inam Commissioner submits the accompanying report No. 207, dated 13th April 1854, by his Assistant, Captain Cowper, without comment.

(Signed) C. J. Manson,
Inam Commissioner.

No. 2238 of 1854.

Political Department.

To C. J. Manson, Esq.,
Inam Commissioner.

Sir,—I have received and laid before the Right Honorable the Governor in Council the letter submitted by your endorsement No. 3238, dated the 19th ultimo (No. 207, dated the 13th idem), from Captain Cowper to your address, relative to the Surinjam entered in the name of Madhow Rao Neelkunt Poorundhuree as No. 40 of Class III. in the revised lists of 1847.

2. In reply, I am desired transmit to you a copy of a Resolution passed by Government under date the 11th instant upon Captain Cowper's letter, and, with reference to the last paragraph of the latter document, to state that it is not the intention of Government that on the death of Madhow Rao Neelkunt any pension should be continued to his heirs on the resumption of the Surinjam which has been granted to him for life.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 18th May 1854.

Resolution passed by Government on the 11th May 1854.

1. In the Government letter to the Agent for Sirdars dated the 5th January 1838, that officer was informed, with reference to the grant alluded to in the accompanying letter from Captain Cowper,—"This Surinjam is to be a life-grant, a point which you are requested to explain fully to Madhow Rao, and to which effect a clause is to be inserted in the deed conferring the villages." This arrangement was confirmed by the Honorable the Court of Directors in their revenue despatch dated the 27th August, No. 14 of 1841.

2. In the revised Surinjam lists prepared by Mr. Warden, Agent for Sirdars, in the year 1844, this Surinjam was entered as an hereditary grant. With reference to this entry, Mr. Brown, Mr. Warden's successor, was informed on the 9th May 1846 (an extract from this letter is annexed),—"In conformity with the tenure on which this grant was conferred on Madhow Rao, you are requested to expunge it from Class I. and enter it in Class III., the grants in which latter list are resumable on the death of the present incumbents."

3. With reference to the above instructions, Mr. Brown, in the revised Surinjam lists which he submitted to Government on the 26th October 1847, observed,—

"Although this Surinjam has been granted during the lifetime of the present incumbent, yet, under the general Rules laid down by the Honorable Court in their despatch dated 26th October 1842, for the preparation of these lists, this Surinjam, in reference to the date of its original grant, will become an hereditary one, and was therefore entered by Mr. Warden in Class I. Besides this Surinjam there are others, which, although granted for the lifetime of the parties, have been, under the general Rules, entered in the several lists according to their respective dates of original grant, and consequently it would appear harsh to deny to this single representative of the great house of the Poorundhuree the advantages which have been, under the recent Rules, voluntarily accorded to families of less distinction."

4. In reply, Mr. Brown was informed by Government, on the 7th April 1848,—

"With reference to your recommendation that the previous decision of Government in reference to Madhow Rao Poorundhuree, whose mame has, in conformity therewith, been transferred from Class I. to (No. 40 of) Class III. may be rescinded, and that this Surinjam may be declared an hereditary instead of a life-grant, I am desired to inform you that the Honorable the Governor in Council does not consider that any sufficient reasons exist for this indulgence. Madhow Rao Poorundhuree was adopted by the late Neelkunt Rao without the sanction of Government, and great liberality has, therefore, been shown to him by conferring upon him his present Surinjam as a life-grant. The allusion which, in reiterating the sentiments of Mr. Warden, the late Agent, you have made 'to the antiquity'

of the above grant, is incorrect, since the Surinjam held by the deceased adoptive father of Madhow Rao Poorundhuree was, on his death in 1825, entirely resumed, and in authorising, in October 1834, the grant of a provision of Rs. 25,000 per annum to Madhow Rao, the Honorable Court contemplated this grant being made in the form of a stipend, and in this form it was for some time paid to him; and afterwards, at his solicitation, this stipend was commuted into a grant of land in the Poona Collectorate."

5. These proceedings having been reported to the Honorable the Court of Directors, that authority in reply, in their political letter dated the 22nd May, No. 15 of 1849, observed,—

"In connection with the subject of adopted heirs, the case of Madhow Rao Poorundhuree requires notice. This Sirdar holds a Surinjam of Rs. 25,032, which was recommended both by Mr. Warden and Mr. Brown for an hereditary tenure, to which, under the present Rules, the family would have been entitled, had they continued to hold their estate on the original grant; but the present incumbent is an adopted son, whose adoption was never recognised by Government, and the family possessions, amounting to Rs. 50,330, were resumed in 1826, the present Surinjam being granted by our Government, as an act of grace, to the present incumbent, expressly as a life-grant. The recommendations of Mr. Warden and of Mr. Brown for its continuance on hereditary tenure seem to be grounded chiefly on the former greatness and present consideration of the family, of whom Madhow Rao is held to be the representative of the principal branch, while several junior branches have been amply provided for. We do not think it desirable to recognise at this late date an adoption to which you have always hitherto refused recognition, and we concur with you in opinion that the circumstances of the case are not such as to call upon us to alter the grant for life into one of hereditary tenure."

6. It is, however, just to the late Agent, Mr. Brown, to observe that the Government letter of the 9th May, No. 1896 of 1846, only directed "the Surinjam of Madhow Rao Neelkunt Poorundhuree to be expunged from Class I. and entered in Class III., the grants in which latter lists are resumable on the death of the present incumbents." The Government letter ought to have specially mentioned that Madhow Rao's grant being a grant by the British Government, was to be distinguished from the other Surinjams in Class III. by a provision that a moiety of the net proceeds was *not* to be continued as a life-grant to the lineal heir. This provision Mr. Brown ought perhaps to have inferred, but his proceedings were not so worthy of blame as Captain Cowper's report would suggest.

Resolved,—That with reference to the circumstances above mentioned, the Inam Commissioner and the Agent for Sirdars in the Deccan be informed, in reply to the last paragraph of Captain Cowper's letter of the 13th ultimo, No. 2071, that it is not the intention of Government that, on the death of

Madhow Rao Neelkunt Poorundhuree, any pension should be continued to his heirs, on the resumption of the Surinjam which has been granted to him for life.

APPENDIX N.

No. 460 of 1854.

Political Department.

From Captain T. A. Cowper,
Inam Commissioner,

To H. L. Anderson, Esq.,
Secretary to Government.

Dated Poona, 14th September 1854.

Sir,—I have the honour, in accordance with the instructions contained in your memorandum No. 3166, of the 12th July last, to report upon the Surinjam entered in the revised lists of 1847, in the name of "Meera Gunnee Rissaldar," as No. 37 of Class III., and the last holder of which having died, a pension equal to half the amount of the net proceeds is, according to the revised lists, payable to the next generation.

2. The village of Pimpulgaum Landga, in the Nuggur Talooka of the Collectorate of Ahmednuggur, at the close of the Peshwa's rule was *not* alienated.

3. This village was after the introduction of the British Government granted in Surinjam by Mr. Elphinstone to Meera Gunnee wulud Nain Raoot, a Rissaldar of the auxiliary horse, under circumstances explained in the following letter, dated the 19th November 1819, from Mr. Elphinstone's successor, Mr. Chaplin, to the Collector of Ahmednuggur:—

"Meera Gunnee's Rissalla being discharged, it is resolved to reward him by the grant of a village yielding about Rs. 1,500 a year. He has been directed to wait on you, and you will be pleased, in conjunction with him, to fix on one of that value, that it may be made over to him."

4. The Collector reported having carried out the Commissioner's orders in a letter dated the 8th December following, which is below transcribed:—

"I have the honour to acknowledge the receipt of your letter of the 19th ultimo, and to acquaint you that I have made over to Meera Gunnee the village of Pimpulgaum Landga, in the Purguna of Pandy Pairgaum, in Jagheer.

"I beg leave to enclose a Murathee memorandum of the value of that village [s. o.] for the Duftur at Poona, and to annex a statement of its substance.

"I beg furthur to add that Meera Gunnee seemed to expect he was to

hold the village in perpetuity to himself and heirs, but as you [s. o.] commands were not to that effect, I have only released it conditionally."

5. On the 6th January 1820 a Sunud was issued to Meera Gunnee which is not now forthcoming, but a registry of it has been found in the Commissioner's diary, and it appears that the village was granted in Jagheer for two generations,—*i. e.* to Meera Gunnee, and after him to his son.

6. Meera Gunnee wulud Nain Raoot died in March 1820,* and on the 21st September 1820 the Commissioner, Mr. Chaplin, addressed the following letter to the Collector of Ahmednuggur:—

"It appears on the death of Meera Gunnee, late Duffedars [s. o.] in the bullock department at Seroor, that the person, late a Rissaldar of horse, to whom the village granted to Meera Gunnee was intended to revert on his death, is not his son, but his nephew. It appears, also, that owing to the circumstance of the name of the nephew also being Meera Gunnee, and his having always passed as his son, the Sunud which was intended to be in the names of the deceased and his son has actually been granted by mistake to the nephew and [s. o.] his son.

"A new Sunud has, accordingly, been granted to the nephew for life only, and the former Sunud has been cancelled. I request you will have the goodness to procure the former Sunud from the executors of the deceased, who claim the village for the son, and have refused to give the Sunud up to the nephew.

"I enclose a copy of the new Sunud, and request you will destroy the old one."

7. The new Sunud (copy of which is annexed, and marked A) referred to in the last paragraph, and dated the 21st September 1820, has been produced by the present claimants. It provides for the continuance of the village to, and during the lifetime of Meera Gunnee, the son of Shaik Hoossein, who was the cousin of the original grantee, Meera Gunnee wulud Nain Raoot.

8. In a "statement of Surinjams granted since November 1819," forwarded to the Bombay Government with Mr. Chaplin's letter No. 21, of the 28th October 1822, this holding was entered as shown below:—

No.	Present Incumbent.	Kumal.			Akar, Present Produce.			Remarks.
		Rs.	a.	p.	Rs.	a.	p	
5	Meera Gunnee....	1,500	0	0	1,500	0	0	Originally sanctioned, but not included in the list.

* According to the Statement of his son Peer Mahomed, recorded before Captain Cowper, on the 8th September 1854.

9. In the lists prepared in 1834 by the Deputy Agent for Sirdars, Mr. J. Warden, this Surinjam was entered as shown below, as No. 76 of Class III. :—

Number.	Name of the Present Incumbent.	Date of Original Grant.	Estimated real Value.	Reasons for making the Grant, as recorded by the Sole Commissioner in the Deccan.	Remarks.
		A. D.	Rs.		
76	Meera Gunnee, late a Rissaldar in the Poona Auxiliary Horse.	1818-19.	1,500	..	A Sunud was granted by the late Commissioner in the Deccan, under date the 21st September 1820, for the continuation of the village as a life-grant.

10. On the revisal, shortly afterwards, of the Deputy Agent's lists by the Agent, Mr. Marriott, the above entry was preserved, the number only being changed, and becoming 58.

11. In the lists prepared by the Agent, Mr. Mills, in 1840, this Surinjam appears to have been first entered as in the previous lists, and to have been subsequently crased.

12. In the lists prepared by the Agent, Mr. Warden, and submitted on the 29th December 1844, this Surinjam was entered as No. 14 of Class III., as shown below :—

Number.	Name of Original Grantee.	Name of Present Incumbent.	Soobha in which the Surinjam is situated.	Name of the Village comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Remarks.
					Rs. a. p.	A. D.		Rs.			
14	Meera Gunnee Rissaldar.	Meera Gunnee Rissaldar.	Ahmednuggur.	Pimpulgaum Landga.	1,568 8 1	1820.	42 years	..	Shaik Moheedeen, 15 years.	For life, and the amount of half the net proceeds to the heir as pension.	..

13. On the revisal of Mr. Warden's lists by his successor, Mr. Brown, this Surinjam was entered as follows, as No. 37 of Class III.:—

Number.	Name of Original Grantee.	Name of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of Present Incumbent, and whether the first or second British Grantee.	No. in the List prepared in A. D. 1834.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	Whether the Surinjam has been continued beyond the Second Generation from the Conquest.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commisioner in the Deccan.	Remarks.
							Rs. a. p.	A. D.		Rs.					
37	Meera Gunnee Rissaldar.	Meera Gunnee Rissaldar.	Meera Gunnee Rissaldar, first British grantee.	No. 58 of Class III.	Ahmednuggur.	Pimpulgaum Landga.	1,568 8 1	1820.	42 years.	..	Shaik Moheedeen, 15 years.	No.	For life, and the amount of half the net proceeds to the heir as pension.	..	This Surinjam was under attachment by the Peshwa's Government, and was restored by the British Government on the 21st September 1820. This person's name has not been mentioned in Mr. Elphinstone's list.

14. The revised lists appear erroneously to describe this Surinjam in the following instances :—

1*st.*—In the column of remarks it is stated,—"This Surinjam was under attachment by the Peshwa's Government, and was restored by the British Government on the 21st September 1820"; the fact being that it had never existed under the Peshwa, and could not, therefore, have been restored.

2*nd.*—The date of grant is stated to be the 21st September 1820, but this is the date of the *second* Sunud, continuing the Surinjam to the *second* generation,—the date of the Sunud making the *original* grant is the 6th January 1820.

3*rd.*—In the 4th column of the revised lists the present incumbent and the original grantee are shown as one and the same person, which was not the case, as the incumbent, when the revised lists were framed, was the *second* British grantee.

15. No statement seems to have been called for from, or made by, the holder of this Surinjam, when the revised lists were prepared.

16. The Honorable Court of Directors have, in the 42nd paragraph of their political despatch No. 10, of the 4th February 1852, declared,—"The Surinjam Rules were never intended to apply to grants by our own Government, unless these were in lieu of Surinjams previously held."

17. Under all the circumstances of the case, therefore, it does not appear to me that the heirs of the last holder of this Surinjam, who was the second grantee of a grant specifically made by the British Government for two lives, can be entitled, after the lapse of those two lives, to the pension claimable under Rules framed with special reference to Surinjams held under the Peshwa's Government, and which Rules do not apply to British grants.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner.

Memorandum.

The Secretary to Government presents his compliments to the Inam Commissioner, Captain Cowper, and requests his opinion as to whether the second Sunud, granted on the 21st September 1820 to the *nephew*, was not granted on erroneous considerations. Mr. Chaplin appears to have said that a "Sunud intended to be in the names of the deceased and his son has actually been granted by mistake to the nephew and his son." The question arises, was this a mistake, or was not the mistake Mr. Chaplin's? There appear to have been two Meera Gunnees, the one a Duffedar in the bullock department at

Seroor, the other (the son of the Duffedar's cousin) a Rissaldar. Mr. Chaplin says the Sunud was intended to be in the name of the deceased—*i. e.* the Duffedar, and that it was by mistake granted to the nephew (cousin's son), *i. e.* the Rissaldar; but is this consistent with Mr. Chaplin's letter of the 19th November 1819—"Meera Gunnee's *Rissalla* being discharged, it is resolved to reward him by the grant of a village yielding about Rs. 1,500 a year"? It would seem from this that the grant was intended to be made to the *Rissaldar*, and that the mistake which really occurred was that the Sunud was drawn up in favour of Meera Gunnee *wulud Nain Raoot* instead of Meera Gunnee *wulud Shaik Hoossein.* It may possibly be, however, that the Duffedar in the bullock department had formerly been a Rissaldar, and thus the difficulty would be cleared up; but the Secretary would be glad to be favoured with Captain Cowper's opinion on the point suggested.

(Signed) H. L. Anderson,
Secretary to Government.

No. 1403 of 1854.

Political Department.

Referred to the Inam Commissioner for Captain Cowper's report (to be written below) on the points indicated in the preceding memorandum.

By order, &c.
(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 21*st September* 1854.

No. 497 of 1854.

Political Department.

Dated Poona, 26*th September* 1854.

Captain Cowper begs to state that Meera Gunnee wulud Nain Raoot *was* a Duffedar in the bullock department at Seroor, to whom it was resolved to grant a village as a reward for services rendered by him in having incurred certain expenses in raising a Rissalla of horse.

2. Of this Rissalla Meera Gunnee wulud Shaik Hoossein was appointed Rissaldar, and so remained until the reduction of the Rissalla in or about 1818.

3. The substance of the last two paragraphs is that recorded before Captain Cowper on the 4th September last by the son of Meera Gunnee wulud Shaik Hoossein.

4. The foregoing appears a probable story, and leads Captain Cowper to believe that Mr. Chaplin must have granted the second Sunud with a full and correct knowledge of the facts of the case, when, in his letter of the 21st September 1820, he thus described both the Duffedar and Rissaldar :—

"It appears on the death of Meera Gunnee, late Duffedars [s. o.] in the bullock department at Seroor, that the person, late a Rissaldar of horse, to whom the village lately granted to Meera Gunnee was intended to revert on his death, is not his son, but his nephew."

5. It seems, therefore, that Mr. Chaplin, in alluding in his letter of the 19th November 1819 to the discharge of "Meera Gunnee's Rissalla," must have described the Meera Gunnee who raised, or assisted to raise the Rissalla, and not the *second* Meera Gunnee, who served in it.

6. The Collector's letter of the 13th January 1821 to the Commissioner contains an error which requires correction. In it Captain Pottinger says that he forwards a Murathee petition "received from Peer Mahomed, the eldest legitimate heir of the late Meera Gunnee, Rissaldar of the Poona Auxiliary Horse." That the "late Meera Gunnee" alluded to was the *Duffedar*, and not the Rissaldar, is proved by the original Murathee petition on record here, and which is from Peer Mahomed, the son of "Meera Gunnee Duffedar."

7. But the circumstances of the case are fortunately still more completely explained by General Smith's letter, a copy of which accompanied Captain Pottinger's of the 13th January 1821. General Smith says :—

"I had the honour, in a private form, to make you acquainted with the case to which the accompanying petition refers.

"The late Meera Gunnee was granted by the Honorable M. Elphinstone, then Commissioner, a small Jagheer, in consideration of his heavy losses in having raised a body of horse for the auxiliaries.

"I was well acquainted with Meera Gunnee's circumstances, and, from the demands that have come upon his estate since his death, I can well believe he was ruined by his engagements for that service.

"Peer Mahomed is the eldest legitimate son of the late Meera Gunnee, a boy of about twelve or fourteen years old.

"Meera Gunnee employed as his Rissaldar, with Captain Swanston's consent, to whose division his horse were attached, a cousin of his, named Meera Gunnee also, who managed everything relative to his horse."

(Signed) T. A. Cowper, Captain,
Inam Commissioner.

No. 4442 of 1854.

Political Department.

To P. W. LeGeyt, Esq.,
Agent for Sirdars in the Deccan.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 367, dated the 30th June last, with enclosure, reporting the death on the 20th of the same month of Meera Gunnee Rissaldar, the holder of the Surinjam No. 37 of Class III. in the revised lists of 1847, and to inform you that as the village of Pimpulgaum Landga, which comprised this holding, was granted by the British Government, the grant is not affected by the Surinjam Rules, and should, therefore, now be resumed without the assignment of any pension to another generation.

2. I have also to transmit, for your information and for record in your office, copies of two reports, Nos. 460 and 497, dated the 14th and 26th ultimo, from Captain Cowper, Inam Commissioner, regarding this Surinjam.

3. An extract, paragraph 1, of this letter, will be forwarded to the Acting Collector of Ahmednuggur, for his information and guidance.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 18th October 1854.

No. 4443 of 1854.

Forwarded to Captain Cowper, Inam Commissioner, for his information, with reference to the subject of his reports Nos. 460 and 497, dated the 14th and 26th ultimo.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 18th October 1854.

Extract Paragraph 22 from a Despatch from the Honorable the Court of Directors, dated the 12th December, No. 27 of 1855.

Para. 22. The particulars of this Jagheer were most incorrectly given in the revised lists. Being a grant by our own Government as a reward for service, it is not subject to the Surinjam Rules, and as the two lives for which it was granted have lapsed, it has been very properly resumed without the grant of a pension to another generation. We, however, approve the grant of Rs. 5 per month to each of the two widows for life.

APPENDIX O.

No. 478 of 1854.

POLITICAL DEPARTMENT.

From Captain T. A. COWPER,
Inam Commissioner,

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

Dated Poona, the 19th September 1854.

SIR,—I have the honour to report upon the Surinjam entered in the revised lists of 1847 as No. 24 of Class III., in the name of Bhugwuntrao Holkar, and shown in the lists to consist of the village of Kambee, in the Ahmednuggur Collectorate, of the estimated annual value of Rs. 2,975-11-0.

2. Up to the close of the Peshwa's Government, Kambee and a number of other villages, composing one-half of the Purguna of Shewgaum, were held by Holkar.

3. Kambee and all other possessions of Holkar in the Ahmednuggur Collectorate were ceded to the British Government by the Treaty of the 6th January 1818.

4. Subsequently to the Treaty, sundry claims were preferred by Holkar's Government, some of which were as a matter of grace, and not of right, admitted, and among them were those of the dependents of Holkar, by whom many villages ceded by the Treaty had been previously held, Kambee being one of these villages.

5. These villages were eventually disposed of under Rules framed by the Deccan Commissioner, Mr. Chaplin, whose decisions were confirmed by the Bombay Government in their Political Secretary's letter No. 146, of the 15th February 1821.

6. The rule under which Kambee (which had been originally granted by Holkar to Anundrao Holkar, and which at the introduction of the British Government had been found in the possession of his son Bhugwuntrao) was continued as a life-holding to Bhugwuntrao Holkar is below transcribed :—

> " 5. Grants in Sounsar Bégmee, &c. to persons of the Aptmundulee to be held for life only, although they may be expressed in the Sunud as perpetual, and if not so expressed, to be resumed at once, unless they should already have descended beyond the original grantee, in which case they will be admitted for life."

7. The terms upon which the restoration or continuance of these grants had been sanctioned by the Governor General were thus described in the 12th paragraph of Mr. Chaplin's letter of the 23rd July 1820 to the Bombay Government:—

"12. It has already been determined by the Governor General that all grants to be continued should be held exclusively of us, and in all respects on the same footing as other grants of the same description made by ourselves: it will, therefore, be proper to grant new Sunuds with these stipulations to each person."

8. That these grants, in regard to which final decisions had thus been passed, were viewed as wholly distinct and separate from the Surinjams held from the Peshwa, in regard to the continuance of which no decisions had been passed, is shown by their not having been included in the general register of personal Jagheers forwarded to the Bombay Government with Mr. Chaplin's letter No. 121, of the 28th October 1822.

9. Kambee was not entered in the lists of Surinjams prepared in 1834 and 1840. It was shown for the first time, as No. 28 of Class III., in the lists prepared in 1844 by the Agent for Sirdars, Mr. Warden. The entry is below extracted:—

Number.	Name of Original Grantee.	Name of Present Incumbent	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Remarks.
					Rs. a. p.	A. D.		Rs.			
28	Baba bin Anundrao Holkar.	Bhugwuntrao Holkar.	Ahmednuggur.	Kambee.	2,975 11 0	1793	39 years.	....	Bulwuntrao, 12 years.	For life, and the amount of half the net proceeds to the heir as pension.	

10. On the revision of Mr. Warden's lists by his successor, Mr. Brown, Kambee was entered as No. 24 of Class III., as shown below:—

Number.	Name of Original Grantee.	Name of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of Present Incumbent, and whether the first or second British Grantee.	No. in the List prepared in 1834.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	Whether the Surinjam has been continued beyond the Second Generation from the Conquest.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
							Rs. a. p.	A. D.		Rs.					
24	Baba bin Anundrao Holkar.	Bhugwuntrao Holkar.	Bhugwuntrao Holkar, first British grantee.	..	Ahmednuggur.	Kambee.	2,975 11 0	1793	39 years.	....	Bulwuntrao, 12 years.	No.	For life, and the amount of half the net proceeds to the heir as pension.	..	This person's name is not included in the former lists, the reasons of which are as follow:— When the transfer of territory between the British Government and Holkar took place, the present incumbent held a Sunud from Holkar for the village of Kambee, and as a memorandum of Holkar's Government was received showing the villages which should not be resumed during the life of several persons, the Government under date A. D. 1821 directed the restoration of this Surinjam, and accordingly the name of the present incumbent has been included in this list. An order of Mr. Chaplin, dated 6th February 1821, is on the records, directing this Surinjam to be restored. The present incumbent being a dependent of Holkar, his name was not included in the former lists. The date of original grant is taken from a Sunud in possession of this Surinjamdar, bearing date Sun Arba Teesain (A. D. 1793).

11. The entry in the revised lists seems to have been incomplete, inasmuch as Government were merely informed,—"An order of Mr. Chaplin, dated the 6th February 1821, is on the records, directing this Surinjam to be restored." But the terms upon which the restoration was made should surely have been also specified, and the real state of the case would then have been apparent, and it would have been seen that the restoration had been distinctly limited (see paragraphs 5 and 6 of this letter) to the life of Bhugwuntrao bin Anundrao Holkar.

12. The reason assigned in the revised lists for the non-entry of Kambee in the lists of 1834 and 1840 was,—"The present incumbent being a dependent of Holkar, his name was not included in the former lists." But this appears incorrect, because the village had been restored to Bhugwuntrao bin Anundrao by a Sunud expressly declaring the grant to be *one from the British Government.* (See paragraph 7 of this letter.)

13. The whole village of Kambee has never been, and is not now, as shown in the revised lists, held by Bhugwuntrao Holkar, who claims and is in possession of the Jagheer Umul, or about three-fourths only. This error appears to have found its way into the lists from the incorrectness of the returns furnished to the Agent by the Collector of Ahmednuggur.

14. This grant the revised lists describe as one of 1793, and still in the hands of the first British grantee: as such, therefore, if entered at all in the lists, it should have been placed, not in Class III., but in Class II.

15. Under all the circumstances hereinbefore reported, this holding does not appear to be one to which the Rules laid down by the Honorable Court in 1842, and upon which the lists of 1844 and 1847 were framed, can be applicable. It was continued under the deliberate decision of Mr. Elphinstone's Government by a Sunud * expressly declaring it a life-grant, and it was only continued at all owing to the special circumstance of its having been found to have descended beyond the original grantee. (See paragraph 6 of this letter.)

I have the honour to be, &c.
(Signed) T. A. Cowper, Captain,
Inam Commissioner.

* Mr. Chaplin, in his circular letter of the 2nd February 1821, directed the several Collectors to "issue new Sunuds to the present incumbents of such grants as are to be confirmed."

No. 279 of 1855.

Political Department.

To Captain T. A. Cowper,
Inam Commissioner.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 478, dated the 19th September last, reporting upon the Surinjam entered in the revised lists of 1847 as No. 24 of Class III., in the name of Bhugwuntrao Holkar, and to inform you that this case will be referred for the consideration and orders of the Honorable the Court of Directors.

I have the honour to be, &c.
(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, *20th January* 1855.

Extract Paragraph 67 *from a Despatch from the Honorable the Court of Directors, dated the* 12*th December*, *No.* 27 *of* 1855.

Para. 67. It is clearly shown by Captain Cowper that this grant is one to which the Surinjam Rules are not applicable. It is one of the grants originally made by Holkar, and continued by our Government in 1820, under new Sunuds, for life only. The rule being laid down "that all grants to be continued should be held exclusively of us, and in all respects on the same footing as other grants of the same description made by ourselves," we cannot agree with Mr. Warden that under this Rule the grantees should receive pensions "on the same footing as other Surinjamdars," for the Surinjamdars of the Peshwa have been placed on a much more advantageous footing than those whose grants were "made" at a comparatively recent period "by ourselves." The entry in the Surinjam lists of the holding now under report, though made by mistake, may have occasioned hopes in the mind of the holder that a pension of half the value of his holding would be continued to his son. But unless we are to be precluded from correcting the many errors which have been shown to exist in these lists, we see no reason for granting to this family what the terms of the Sunud must have shown them that they were not entitled to. Before pensions can be granted to persons so situated, special ground must be shown for such grant.

APPENDIX P.

No. 694 of 1854.

POLITICAL DEPARTMENT.

From Captain T. A. Cowper,
Inam Commissioner,

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Poona, 27th November 1854.

Sir,—I have the honour to report upon the Surinjam entered in the revised lists submitted by the Agent for Sirdars, Mr. Brown, on the 26th October 1847, as No. 30 of Class III., in the name of Bapoo Gosavee Vinchoorkur.

2. This Surinjam has lapsed, and has been resumed accordingly, under the orders of Government contained in the Chief Secretary's letters dated the 14th April 1851 and the 25th August 1852. The rectification, therefore, of the erroneous entry in the lists of 1847 is all that now remains to be done.

3. In the lists it is stated in the column of remarks,—"The Chor Chittee is in Sukaram Gosavee's name, and a pensionary grant should have been given to his son Bapoo Gosavee, the present incumbent, but the Surinjam has been continued by mistake in his name";—and upon this information the continuance of the Surinjam during the lifetime of Bapoo Gosavee Vinchoorkur was sanctioned by the Honorable Court.

4. But it was not by any mistake that the Surinjam was continued at the death of Sukaram Gosavee,—the continuance took place under the special orders of Government, conveyed in the Chief Secretary's letter, No. 1644, of the 10th November 1831, below transcribed :—

"I am directed to acknowledge the receipt of your letter of the 26th May last, announcing the death of Sukaram Gosavee Vinchoorkur, and to acquaint you that the village of Saol, held by the deceased on account of the office he held in the household of the late Peshwa, is to be continued to his son Bapoo Sukaram, in virtue of his having been placed by the ex-Peshwa in the office of his late father; but in the event of Bajee Rao's

death or Bapoo Sukaram's removal from his situation, the village in question will revert to Government.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner.

No. 2192 of 1856.

Political Department.

From H. L. Anderson, Esq.,
Secretary to Government, Bombay,

To Captain T. A. Cowper,
Special Commissioner, in charge of Alienation Department.

Dated 7th May 1856.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 694, dated the 27th November 1854, relative to the Surinjam entered in the revised lists of 1847 as No. 30 of Class III., in the name of Bapoo Gosavee Vinchoorkur.

2. In reply, I am desired to inform you that no orders are called for on the letter under acknowledgment, instructions having been issued by Government for the resumption of the Surinjam in question under date the 14th April 1851.

3. The errors pointed out in the above letter were brought to the notice of the Honorable Court of Directors under date the 30th December 1854.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 7th May 1856.

APPENDIX Q.

No. 674 of 1855.

Political Department.

From Lieutenant C. J. Griffith,
Assistant Inam Commissioner Northern Division,

To Captain T. A. Cowper,
Inam Commissioner Northern Division.

Dated Poona, 21st June 1855.

Letter from the Secretary to Government, Mr. Anderson, to the Inam Commissioner Northern Division, No. 572, dated 7th February 1855.

Sir,—I have the honour, under the instructions noted in the margin, to report upon the Surinjam entered as No. 23 of Class I. in the name of Krishnrao Ram Poorundhuree in the revised lists of Surinjams submitted to Government by the Agent for Sirdars, Mr. Brown, on the 26th October 1847.

2. This Surinjam was entered in the Class of "Silledars," as shown below, in a memorandum prepared by Mr. Elphinstone's Secretary, Mr. McDonnell :—

"No. 2.—Krishnrao Ram Poorundhuree.—Exd.

"Khandeish.

"*Jagheer.*

Moujé Khirdee, Purguna Ravér.............Rs.	3,960	0	0
"*Umul.*			
Waghodey, Purguna Ravér, Surdeshmookee....	790	0	0
Total....Rs.	4,750	0	0

"2. All the accounts agree as to villages. The Killedar, however, makes the Umul more and the Jagheer less than the Duftur : he gives the *Kumal* of both at Rs. 4,600, and the receipts at Rs. 2,500."

3. The following extract shows the entry of this Surinjam, as No. 2

in the Class of "Silledars," in the lists of Jagheers which were transmitted by Mr. Elphinstone to the Supreme Government on the 25th October 1819:—

Number.	Name.	Class.	Remarks.	Decision.	Total Amount of the Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued.			For what Period recommended.
							Kumal, or greatest recorded Collection.	Estimated real Value at present.	Pecuniary Pension.	
					Rs.		Rs.	Rs.		
2	Krishnrao Ram Poorundhuree.	Silledars.	..	To retain his Jagheer land.	4,750	74	4,750	1,190	..	May be diminished on his death.

4. The Surinjam was actually restored to (3)* Krishnrao Ram Poorundhuree. This is shown by a register of restored personal Jagheers, which was submitted to the Bombay Government by Mr. Elphinstone's successor, Mr. Chaplin, on the 28th October 1822, and an extract from which is given below:—

Number.	As per Lists sent to Calcutta.	Amount.			Restored to the undernamed individuals, who were the actual Incumbents, and are either the same as those named in the Original Lists or their immediate Relations, as explained below.	Amount.			Remarks.
		Kumal.	Akar, estimated Value.	Nemnook, or Pecuniary Allowance.		Kumal.	Akar, or present Produce.	Nemnook, or Pecuniary Allowance.	
		Rs.	Rs.			Rs.	Rs.		
2	Krishnrao Ram Poorundhuree.	4,750	1,190	..	Krishnrao Ram Poorundhuree.	4,750	2,335	..	..

5. In the lists of Surinjams framed in 1834 and 1840, the holding

* The number thus affixed to a name is the one which marks it in the Genealogical Table given at the close of the 14th paragraph.

was entered as a grant of A. D. 1745 in the name of Krishnrao Ram Poorundhuree; in the Deputy Agent Mr. Warden's lists of 1834 it stood No. 31 in Class II.; in the Agent Mr. Marriott's revised lists of 1834 it became No. 13 of Class II.; and in the lists prepared in 1840 by the Agent, Mr. Mills, it was entered as No. 40 of Class II.

6. In the lists prepared in 1844 by Mr. Warden, as Agent, this Surinjam was entered as No. 31 of Class I., as shown in the following extract:—

Number.	Name of Original Grantee.	Name of Present Incumbent.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Remarks.
					Rs. a. p.	A. D.		Rs.			
31	Myral Gomajee Poorundhuree.	Krishnrao Ram Poorundhuree.	Khandeish.	Khirdee Boozrook.	1,818 7 6	1745	65 years.	35	Gopalrao (the grandson, being the son of the eldest and deceased son of Krishnrao Ram), 18 years.	Hereditary in the fullest sense of the word.	See No. 2 of List No. 5.
				Waghodey	282 12 3				Govindrao, 17 years. } Grandsons.		
									Narayen Rao, 12 do. } Grandsons.		
									Tookaram, 6 do. } Grandsons.		
				Total...	2,101 3 9				Trimbukrao, 27 do.		
									Gungadhur Rao, 25 do.		
									Keshow Rao, 23 do.		

7. In the revised lists submitted to Government on the 26th October 1847 by Mr. Brown, the Agent for Sirdars, the Surinjam was entered as shown in the following extract, the number having been changed to 23.

Number.	Name of Original Grantee.	Name of Present Incumbent.	Number in the Lists prepared in 1834.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
						Rs. a. p.	A. D.		Rs. a. p.				
23	Myral Gomajee Poorundhuree.	*Krishnrao Ram Poorundhuree.	No. 13 of Class II.	Khandeish.	Khirdee *Boozrook.	1,818 7 6	1745.	65 years	35 0 0	Gopalrao (the grandson, being the son of the eldest and deceased son of Krishnrao Ram), 18 years. Govindrao, 17 years. Narayen Rao, 12 years. Tookaram, 6 years. (Grand-sons.) Trimbukrao, 27 years. Gungadhur Rao, 25 years. Keshow Rao, 23 years. (Younger sons of Krishnrao Ram.)	Hereditary in the fullest sense of the word.	In the Class of Silledars, No. 2.—To retain his Jagheer land; may be reduced on his death.	The date of original grant, viz. Seet Arbain (A. D. 1745), is taken from the lists prepared in A. D. 1834; besides which there is a record in the Poona Duftur, bearing date Khumus Subain (A. D. 1774), which states that the Surinjam held by the deceased Myral Gomajee should be continued to his son Ramrao Myral. This Surinjamdar belongs to the house of the Poorundhuree, and his Surinjam is ancient. On his demise the Collector of Khandeish sequestrated his Surinjam, but on a recommendation of the late Agent, the Government restored the Surinjam to the deceased's grandson Gopalrao. (Vide Government letter dated 26th January 1846.)
					Waghodey..	282 12 3							
					Total..	2,101 3 9							

8. In paragraph 2 of the Chief Secretary's letter No. 1447, of the 7th April 1848, the following instructions were issued to Mr. Brown in regard to the Surinjam :—

"You are, however, requested to state what proofs exist independently of the Surinjam lists framed in the year 1834, that the Surinjams entered Nos. 17, 18, and 23 in this Class were granted prior to the year 1751,—the limit which has been fixed upon by the Honorable the Court of Directors as giving to the holders an hereditary title."

9. Mr. Brown's reply, quoted below, was contained in the 4th paragraph of his letter No. 187, of the 22nd August following :—

"4. Surinjam No. 23, by the extracts from the Peshwa's records marked 3, show that Myral Gomajee's title of Sirdar dates from A. D. 1741 ; and in paragraph 4 of the same, the village of Khirdee was granted in 1754. In the 6th paragraph the village of Waghodey was granted in A. D. 1761 ; in the 11th paragraph the village of Koosulumbee, which dates back as far as A. D. 1741, as shown in the 1st paragraph, on account of its not being easily managed, was resumed by Government, and Waghodey given in exchange."

10. After the receipt by Government of the explanation quoted in the preceding paragraph, nothing more appears to have been done, the Surinjam having been allowed to remain in Class I. up to the present time.

11. Gopalrao Poorundhuree has now given in a statement showing his claims, which are as follows :—

No.	Claims.	Collectorate.	Net Value per Annum, according to Claimant.		
			Rs.	a.	p.
1	The Surdeshmookee Umul of the village Waghodey Boozrook, as Surinjam ..	Khandeish	300	0	0
2	The entire village of Khirdee, as Surinjam	Khandeish	1,800	0	0
	Alleged net value...... Rs.		2,100	0	0

12. The claimant states that the Surdeshmookee Umul of Waghodey Boozrook was granted, as a family maintenance, by the Peshwa Ballajee Bajee Rao, to (1) Myral Punt, in A. D. 1759-60, in lieu of the Mokassa Umul of the village of Koosulumbee.

13. He asserts that the village of Khirdee was granted as salary, by the Peshwa Ballajee Bajee Rao, to (1) Myral Punt, in A. D. 1754.

14. Of the documents produced as evidence by the claimant, it is necessary to describe nine only, as these are all which have anything to do with his title to the Surinjam claimed. The substance of these nine papers is given below. Each document is lettered, the corresponding letter being entered in the copy of the document as given in Appendix I. :—

Relating to Waghodey, the Surdeshmookee Umul of which was granted in lieu of Koosulumbee.

A.

I. A document dated the 22nd Sufur, Sulas Arbain Mya wu Ulluf (A. D. 1742-43), purporting to be a Takeed* (letter of injunction) from the Peshwa Ballajee Bajee Rao to the Komavisdar of Jamkhed, confirming (1) Myral Gomajee in the possession of the Mokassa Umul of the village Koosulumbee.

B.

II. A document dated 29th Rubee-ool-Awul,† Seetain Mya wu Ulluf (20th November 1759), purporting to be a Sunud from the Peshwa Ballajee Bajee Rao, setting forth that as there was great difficulty in collecting the revenue of Koosulumbee which (*i. e.* the Mokassa Umul of which) had been held by (1) Myral Gomajee exclusive of his salary (Kherij Tynat), the management of the village had been undertaken by the Government. The Surdeshmookee Umul of the village of Waghodey had, therefore, the Sunud continues, now been conferred upon (1) Myral Gomajee in commutation for the same Umul of Koosulumbee. If, however, the amount of the Surdeshmookee should ever exceed Rs. 1,100, after the lease on which the village was farmed had expired, the amount in excess was to be credited to Government, Myral Gomajee enjoying the Umul up to that sum.

C.

III. A document dated 15th Jummad-ool-Awul, Khumus Subain Mya wu Ulluf (25th July 1774), purporting to be a Sunud‡ from the Peshwa Madhow Rao Narayen, confirming to (2) Ram Rao, in consequence of the death of his father (1) Myral Gomajee, Karkoon Silledar, the Surdeshmookee Umul of Waghodey, to be enjoyed as Kherij Tynat.

* This Takeed is registered in the State diary of 22nd Sufur, Sulas Arbain.

† The State diary for this month is not complete; no registry can be found of the Sunud dated 29th Rubee-ool-Awul.

‡ This Sunud is registered in the State diary of the 16th Jummad-ool-Awul, Khumus Subain.

Relative to the Village of Khirdee.

D.

IV. A document dated the 12th Sufur,* Khumus Khumsain Mya wu Ulluf (27th November 1754), purporting to be a Sunud from the Peshwa Ballajee Bajee Rao, granting to (1) Myral Gomajee, as a portion of his salary (Tynat), the Surdeshmookee Umul of the village Khirdee, in Khandeish. It is stated in this Sunud that the whole village had been granted, but that a separate Sunud had been issued for the remaining portion of it.

E.

V. A document dated the 15th Jummad-ool-Awul, Khumus Subain Mya wu Ulluf (25th July 1771), purporting to be a Sunud† from the Peshwa Madhow Rao Narayen, confirming to (2) Ram Rao, upon the death of his father (1) Myral, the entire village of Khirdee, which was to be enjoyed by him as salary (Budul Mooshahira).

F.

VI. A document dated in Suman Sumaneen Mya wu Ulluf (A. D. 1787-88), but without date of month, purporting to be a copy of a Sunud‡ from the Peshwa Madhow Rao Narayen, confirming to (3) Krishnrao, his father (2) Ram Rao, Karkoon Silledar, having died, the entire village of Khirdee, as Budul Mooshahira or salary, and also the Surdeshmookee of Waghodey, as Kherij Tynat or exclusive of his salary.

G.

VII. A document dated the 26th January 1846, purporting to be a copy of a letter from the Chief Secretary to Government to the Agent for Sirdars, conveying the authority of Government for continuing the village of Khirdee, entered as No. 31 in the list of 1st Class Surinjams for 1844, to the heirs of the late (3) Krishnrao Ram Poorundhuree, subject to the confirmation of the Honorable Court of Directors.

H.

VIII. A document dated 17th February 1852, purporting to be a letter from the Agent for Sirdars, Mr. Brown, to (5) Gopalrao Neelkunt Poorundhuree, informing him, in reply to a Yad from him, that in the (revised) lists of Surinjams lately sanctioned by the Honorable Court of Directors, his Surinjam was entered as an hereditary one under No. 23 of Class I.

* In the State diary of this date there are recorded two Sunuds (one for the Surdeshmookee, and one for the remaining Umuls), issued by the Peshwa, granting to Myral Gomajee, on account of his salary, the entire village of Khirdee in Khandeish, namely its Jagheer, Babtee, Surdeshmookee, and Mokassa Umuls, and the "Ghans Dana" (forage money) tax.

† This Sunud is registered in the State diary of 16th Jummad-ool-Awul, Khumus Subain.

‡ A Sunud to the same effect as the copy now produced is recorded in the Peshwa's ledger of the 29th Rubee-ool-Awul, Suman Sumaneen.

J.

IX. A Genealogical Table of the claimant's family (so much of which as is required) is subjoined:—

- (1) Myral Punt.* Original grantee.
  - (2) Ram Rao.* Adopted.
    - (3) Krishn Rao.† Adopted.
      - Keshow
        - Vittul (alive).
      - Gungadhur *a* (alive).
        - Tookaram (alive).
      - Trimbukrao (alive).
        - Narayen (alive).
      - Myputrao. †
        - Govind* (alive).
          - Shreedhur (alive).
          - Wamun (alive).
      - (4) Neelkuntrao. †
        - (5) Gopalrao, the claimant.

a Given in adoption to another family.

[N.B.—Those marked thus* are said to have died before, and those marked thus † subsequently to the introduction of British rule.]

15. The Peshwa's records, and the documents produced by (5) Gopalrao Poorundhuree, show the history of the Surinjam claimed by him to be as follows.

16. In A. D. 1712-13 Myral Gomajee was confirmed, by a Takeed registered in the State diary, in the possession of the Mokassa Umul of the village Koosulumbee.

17. In A. D. 1759 the Surdeshmookee Umul of the village of Waghodey was granted to (1) Myral Gomajee, exclusive of his salary (Kherij Tynat), by a Sunud‡ from the Peshwa, in lieu of the Mokassa Umul of Koosulumbee, which was taken under the management of the Government. The Umul was granted, however, with the proviso that if its amount should ever exceed Rs. 1,100, the excess should be credited to the Government.

18. In A. D. 1754 the entire village of Khirdee was granted, by a Sunud registered in the State diary, to (1) Myral Gomajee, on account of his salary.

‡ See note to Document II., described in paragraph 11.

19. In A. D. 1774 the Surdeshmookee Umul of Waghodey, and the entire village of Khirdee were, by Sunuds which are registered in the State diary, confirmed to (1) Myral Gomajee's (adopted) son, (2) Ram Rao, his father having died.

20. In A. D. 1788 the above Umul and village were continued, by a Sunud which is registered in the State diary, to (3) Krishnrao, the adopted son of (2) Ram Rao's widow. A Nuzur of Rs. 10,001 was on this occasion ordered to be levied.

21. At the introduction of the British Government (3) Krishnrao was found in possession of both the items now claimed by his grandson, and which were continued at the conquest,—namely, the Surdeshmookee Umul of Waghodey, held in commutation for part of the village Koosulumbee, dating from before A. D. 1742-43, and the entire village of Khirdee, first granted in A. D. 1754.

22. Upon referring to the 3rd paragraph it will be seen that Mr. Elphinstone's recommendation with regard to this Surinjam was,—"To retain his Jagheer land; may be diminished on his death."

23. It appears from the Murathee records, relating to these holdings, received from the Agent's Office, that (3) Krishnrao distinctly stated in writing, on the 9th February 1844, that the village of Khirdee, the greater portion of the Surinjam, had been originally granted in 1754.

24. The Honorable Court of Directors had declared (despatch dated 26th October 1842, No. 17,) that Jagheers which had been granted prior to 1751 should be considered hereditary, as well as those of more recent date, which were held in commutation for old possessions resumed by the Sirkar. Grants made subsequent to 1751 were to be resumed after a second generation from the conquest, a pension equal to half the net proceeds of the Surinjam being assigned to the next—the third—generation.

25. According to the above Rules, the Surdeshmookee Umul of Waghodey (granted in 1759, in commutation for an Umul resumed, which had been acquired before 1751) was entitled to hereditary continuance; while the village of Khirdee, which was granted in 1754, ought, I imagine, to have been declared resumable after a second generation from the conquest, the usual pension being provided for the third generation.

26. But in the revised lists of Surinjams submitted to Government by the Agent for Sirdars, Mr. Brown, on the 26th October 1847, with his letter No. 178, that gentleman entered the Surdeshmookee Umul of Waghodey, *and also the village of Khirdee*, in Class I., as being "hereditary in the fullest sense of the word"; the date of original grant was entered by him as 1745.

27. Under these circumstances, the Chief Secretary on the 7th April

1848 (letter No. 1447, paragraph 2) desired Mr. Brown to state what proofs existed that this Surinjam (viz. Khirdee and the Surdeshmookee of Waghodey), which was entered in Class I. of his revised lists, had been granted prior to 1751,—the limit fixed by the Honorable Court of Directors as giving the holders an hereditary title.

28. It is difficult to understand the nature of Mr. Brown's explanation, which will be found quoted in the 9th paragraph of this letter; but if he meant to say that because a portion (viz. the Surdeshmookee Umul of Waghodey) of the Surinjam was of a date antecedent to 1751, therefore the remaining portion (the village of Khirdee, granted in 1754) was entitled to be considered as bearing the same date, he must have completely misapprehended the instructions which had been issued by Government regarding the preparation of the lists; for he was expressly cautioned in the Chief Secretary's letter No. 1896 of the 9th May 1846 against assigning to any Surinjam a date prior to 1751, if only a portion of it, and not the whole, had been granted before that year.

29. I have appended (No. I.) to this letter, as required by the Government letter from the Political Secretary to the Inam Commissioner Northern Division, No. 572, of 7th February 1855, copies of the documents, described in the 14th paragraph produced as evidence by the claimant, and also (No. II.) a copy of the translation of extracts from the Peshwa's records, which formed an accompaniment to Mr. Brown's letter, containing the explanation quoted above in paragraph 9.

30. Under the Rules contained in the Honorable Court's despatch, on which the revised lists were framed, the Surdeshmookee Umul of Waghodey (so that it shall not exceed Rs. 1,100) is, apparently, continuable hereditarily; the remaining portion of the Surinjam, namely the entire village of Khirdee, ought, it would seem, to have lapsed to Government after the death of both (3) Krishnrao and (4) Nilkuntrao: (5) Gopalrao, of the third generation after the conquest, being allowed, during his lifetime, the usual provision of half the net revenue of the Surinjam.

I have the honour to be, &c.

(Signed) C. J. Griffith, Lieutenant,
Assistant Inam Commissioner Northern Division.

No. 681 of 1855.

Political Department.

From Captain T. A. Cowper,
Inam Commissioner, Northern Division,

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Poona, 22*nd June* 1855.

Sir,—I have the honour to submit a report, No. 674, dated 21st instant, from my Assistant, Lieutenant Griffith, on the Surinjam entered as No. 23 of Class I. in the name of Krishnrao Ram Poorundhuree, in the revised lists of Surinjams submitted to Government by the Agent for Sirdars, Mr. Brown, on the 26th October 1847.

2. This Surinjam is now found to have been incorrectly entered in the revised lists, which contain the following errors:—

1*st*.—Both the items composing the Surinjam are entered as grants made in A. D. 1745, whereas one of them, the village of Khirdee Boozrook, which forms nine-tenths of the whole Surinjam, was granted, not in A. D. 1745, but in A. D. 1754, as a new grant, and not in commutation for anything held previously.

2*nd*.—Of the two items composing the Surinjam, one is incorrectly shown as consisting of the village of Waghodey, the Surdeshmookee Umul of which village alone ought to have been entered.

3*rd*.—The name of the "present incumbent" of the Surinjam entered in column 3 is that of Krishnrao Ram Poorundhuree, who in column 9 is stated to be sixty-five years of age, but who in column 14 is shown to have died some years previously,—this last being the correct statement.

3. With one important difference, this case is similar to the one disposed of by the Government order No. 2531 of the 3rd June 1854. In both cases the distinct injunction of Government against assigning to even a *single component portion* of a Surinjam any other date than that on which it was actually granted, was disregarded, and this not only in framing the revised lists, but even after the second reference which was specially made to the Agent by Government in each of these cases. In the case now reported on, however, there was this remarkable difference, that the foregoing took place *after* the claimant of the Surinjam had recorded in the Agent's Office the *correct* date of grant of the holding.

4. Under the Rules in force, the Surdeshmookee Umul of the village of Waghodey appears to be, as a grant made in commutation

for that which was held before A. D. 1751, continuable on hereditary tenure, while the village of Khirdee Boozrook, which was granted in A. D. 1754, has, under the Honorable Court's instructions in paragraph 12 of their despatch No. 29, dated 31st October 1849, already properly lapsed, and the present incumbent should, as the third generation from the conquest, be in the receipt merely of a pension equal to half of the net proceeds of the village.

5. As the error through which the present claimant is still in the possession of the village of Khirdee Boozrook was committed, not through any fraud or misrepresentation on his part, but after he had correctly stated the case, Government will, probably, approve of my recommendation that during his lifetime no alteration should be made, the village being in such case resumable at his death, without the grant of any pension to the next generation.

I have the honour to be, &c.

(Signed) T. A. COWPER, Captain,

Inam Commissioner Northern Division.

No. 1886 OF 1855.

POLITICAL DEPARTMENT.

To Captain T. A. COWPER,

Inam Commissioner Northern Division, Poona.

SIR,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 681, dated the 22nd June last, with enclosure, reporting on the Surinjam entered in the name of Krishnrao Ram Poorundhuree as No. 23 of Class I. in the revised Surinjam lists, and to enclose for your information and guidance a copy of the Government Resolution thereon, dated the 2nd instant.

2. The Agent for Sirdars and the Collector in Khandeish have been informed of the decision in this case.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,

Secretary to Government.

Bombay Castle, 8th September 1855.

Resolution of Government, dated 2nd September 1855.

Resolved,—Krishnrao Ram Poorundhuree's Surinjam consisted of two holdings in Khandeish, one the Surdeshmookee Umul of Waghodey, the other the village of Khirdee. Both of these were in the lists of Mr. Warden and Mr. Brown declared to be hereditary in the fullest sense of the word.

It is now incontestably shown, by the statement of the incumbent and by the clearest documentary proof, that the village of Khirdee was granted in 1754, and, therefore, should have been included in the 2nd, and not in the 1st Class of Surinjams.

The Surdeshmookee Umul of Waghodey was granted in 1765, but having been given with a certain restriction as to its emoluments in lieu of the Mokassa Umul of Koosulumbee, *granted* in 1742-43, it was properly included in the 1st Class, "as hereditary in the fullest sense of the word."

The village of Khirdee, on the other hand, should only have been continued to two generations from the conquest, with a pension to the third generation. Two generations—Krishnrao Ram and his eldest son Neelkunt Rao—have died out. The present holder, Gopalrao, is the eldest son of Neelkunt Rao. The village, therefore, in strict justice, has lapsed, and Gopalrao is only entitled to a pension equal to one-half of the net revenue of the village.

As, however, it is clearly shown in the reports of Captain Cowper and Lieutenant Griffith that no fraud was attempted by Gopalrao, and that he gave the true dates of the grants of his holdings to the Agent for Sirdars, the Right Honorable the Governor in Council is of opinion that the suggestion of Captain Cowper should be adopted, that no alteration be made during the lifetime of the present incumbent, but that the village be resumed on Gopalrao's death, without the grant of any pension to the next generation.

Extract Paragraphs 4 *and* 5 *from a Despatch from the Honorable the Court of Directors, dated the* 19*th March, No.* 19 *of* 1856.

4. The circumstances of this holding are very clearly set forth by Lieutenant C. J. Griffith, the Assistant Inam Commissioner. The statements relating to it in the revised lists are very inaccurate, a part of the holding being incorrectly described, and the date which correctly belonged only to the smaller part of it being assigned to the whole. This is the more remarkable as Mr. Brown, in his reply to a call for

explanation, stated the dates correctly, and the inconsistency between them and the conclusions drawn from them escaped the notice of your Government.

5. It is now shown that the Sirdeshmookee Umul of the village of Waghodey, value Rs. 300, which was granted in lieu of a Mokassa Umul held previously to 1751, is the only part of this Surinjam which is hereditary under the Rules. The village of Khirdee, value Rs. 1,800, was granted in 1754, not in commutation for anything held previously, and, therefore, after the second generation, ought to have lapsed to the Government; and the present holder, being in the third generation, was only entitled to a pension of half the net proceeds. As, however, he stated the facts correctly, and is not under the smallest imputation of fraud, we approve your having determined to leave him in possession for his life, and to resume the whole at his death.

APPENDIX R.

No. 150 of 1855.

Political Department.

From Captain T. A. Cowper,
Inam Commissioner,

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Poona, 7th February 1855.

Sir,—I have the honour to bring to the notice of Government that the proceeds of the Surinjam, entered in the revised lists as No. 1 of List 4 in the name of Zoolficar Allee Bahadoor, which lapsed on the 1st September 1829, appear to have been in the hands of the Nazir of the Poona Adawlut from that date up to 1847, or, perhaps, even to a later date, and eventually to have been nominally made over to a claimant in a civil suit, under circumstances which seem to demand a searching inquiry.

2. The following report, dated the 14th September 1844, by the Agent for Sirdars, Mr. Warden, describes the then condition of the Surinjam:—

> "The Surinjam held by the family of Shumsher Bahadoor, in the Deccan, was originally granted in A. D. 1763, and, according to the orders of the Honorable the Court of Directors, is, therefore, to pass through two generations, the third generation being entitled to a pecuniary pension equal to half the net proceeds of the estate. The first British grantee was Shumsher, grandson of the original grantee of that name. On his death the Surinjam should have been resumed for want of direct heirs, but was allowed to be held by his step-mother, Ruheemut Beebee, for her life, and on her death it was attached as intestate property by the Adawlut, instead of the Government (an oversight which will be noted in view to its correction in my general report on the Surinjams). If the petitioner be recognised by the British Government as heir to his brother, and the Government do not consider the enjoyment by Ruheemut Beebee of the estate in the same light as if a second generation had held it, the petitioner should receive the Surinjam prayed for for his life, otherwise he can, as heir to the Surinjam, only claim the pension due to an incumbent of the third generation."

3. The Government reply in the Political Department, No. 3031 of the 3rd October 1844, is below transcribed:—

"With reference to your report dated the 14th ultimo, on the petition from Shaik Kurrim Ahmed, Vukeel of Nawab Zoolficar Allee Bahadoor, dated the 17th August last, soliciting that the Surinjam held by the late Shumsher Bahadoor in the Deccan may be continued to his master, I am directed by the Honorable the Governor in Council to request that you will be pleased to inform the petitioner, who has been referred to you, that his case will be submitted for the decision of the Honorable the Court of Directors."

4. With reference to the Government order quoted in the last paragraph, the Agent, under date the 15th August 1845, No. 143, wrote as follows:—

"In reference to your letter No. 3810 dated the 12th of this month, and to my report acknowledged in Mr. Chief Secretary Willoughby's letter dated 3rd October 1844, No. 3031, I have the honour to suggest that the Collector be instructed to relieve the Nazir of the Adawlut of the charge (which he should never have had) of the Surinjam held by the late Ruheemut Beebee at Poona, pending the receipt of the orders of the Court of Directors in respect to its disposal."

5. The orders of Government, conveyed in the Chief Secretary's letter No. 4977 of the 3rd November 1845, were,—

"I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter dated the 15th August last, No. 143, and to inform you that, as suggested by you, orders have been issued to the Collector of Poona for relieving the Nazir of the Adawlut at Poona of the charge of the Surinjam held by the late Ruheemut Beebee at that place, pending the receipt of the orders of the Honorable the Court of Directors in respect to its disposal."

6. In No. 4 of the revised lists of Surinjams submitted to Government by the Agent for Sirdars, Mr. Brown, on the 26th October 1847, this Surinjam was entered, as shown on the following pages, in the name of Zoolficar Allee Bahadoor.

STATEMENT

EXHIBITING THE

SURINJAM OF ZOOLFICAR ALLEE BAHADOOR.

Number.	Name of Original Grantee.	Name of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of the last Incumbent.	Name of the Present Claimant.	No. in the List of A. D. 1834.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Claimant.	Annual Private Income of the Claimant.
1	2	3	4	5	6	7	8	9	10	11	12
								Rs. a. p.	A. D.		Rs.
1	Shumsher Bahadoor.	Shumsher Bahadoor, grandson of original grantee.	Ruheemut Beebee, step-mother of Shumsher Bahadoor.	Zoolficar Allee Bahadoor.	..	Poona.	Garden in the Kusba of Poona.	100 0 0	1763.	41 years.	4,00,000, in Hindoostan.
							Government land at Pabul.	237 8 0			
							Total..	637 8 0			

The Names and Ages of the Claimant's Legitimate Male Issue.	The date of the Resumption of the Surinjam.	The Amount of Pension due to Claimant at the rate of a Moiety of the Net Proceeds of the Surinjam.	The Amount of Arrears due to Claimant if a Pension is granted.	Whether the Present Claimant is the direct Descendant of the last Incumbent.	By how many Generations the Surinjam has been enjoyed since the Conquest.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
13	14	15	16	17	18	19	20
Allee Bahadoor, 10 years.	28th May 1834.	....	....	Step-son of last incumbent.	By two generations.	Sirdars or great Chiefs, No. 47.—The Chief of Bundlekund. To retain his garden; hereditary.	The Surinjam, on account of the non-appearance of the heirs of Ruheemut Beebee, who died in A. D. 1829, was attached by the Adawlut, under the impression that it was intestate property. On the completion of the investigation into this matter by the Judge, the Collector was requested to assume charge of the Surinjam. The Agent for Sirdars, on the 14th September 1844, addressed a letter to Government, explaining the character of this Surinjam; and a letter was received in reply from Government, No. 3031 dated 3rd October 1844, stating that the matter had been referred to the Honorable the Court of Directors. On account of the property having been considered intestate, the name of the present incumbent was not entered in the list of 1834, but it was by oversight entered in the list of A. D. 1840. The date of original grant, Arba Sentain, or A. D. 1763, is taken from a record in the Poona Duftur. The revenue was personally collected by this Surinjamdar, consequently there are no accounts forthcoming to determine the moiety of the net proceeds of the Surinjam, or to ascertain the amount of arrears which is due to claimant.

7. The orders of the Honorable Court of Directors regarding this Surinjam were conveyed in paragraph 52, below quoted, of their political despatch No. 15 dated the 22nd May 1849:—

"52. The Nuwab of Banda claims restoration of a garden, of the estimated value of Rs. 642, held by his late brother and predecessor, Shumsher Bahadoor. This garden should, as you observe, have been resumed on Shumsher Bahadoor's death, on account of the failure of direct heirs; it was, however, allowed to be held by his widow for life, and on her death was erroneously attached as intestate property. Zoolficar Allee claims it as heir of the deceased. He has, however, under the circumstances, no claim to it, nor even, as Mr. Warden supposed, to a pension of half the net proceeds, such pension being intended as a provision only for the next generation of the descendants of Jagheerdars; collaterals are not entitled to these pensions, although, when they have actually been supported from the proceeds of the Jagheer, a provision for life should generally be made for them: this, however, cannot apply to the Nuwab of Banda, who enjoys, on hereditary tenure, a princely provision from the Supreme Government. This application is, therefore, rejected."

"Case of Zoolficar Allee Khan, Nuwab of Banda.

8. It is clear from the foregoing, that on the receipt of the Honorable Court's instructions just quoted, the proceeds of the Surinjam from the date of Ruheemut Beebee's death ought to have been brought to the credit of Government. This, however, was not done, and it only remains to state what actually occurred.

9. Under date the 5th July 1845, No. 2230, a decree was passed by the Judge of Poona, Mr. Warden, directing the property of the late Ruheemut Beebee to be made over to one Umroodeen, as Ruheemut Beebee's legal heir, but *specially excepting the proceeds of the Surinjam.*

10. With these clear instructions of Mr. Warden on record,—indeed, in reply to a reference from the Nazir in which these instructions were prominently brought to notice,—Mr. Warden's successor as Judge, Mr. Brown, passed, on the 15th July 1848, No. 1495, an order to the Nazir, of which the following is a translation:—

"Your report has been received. Umroodeen was declared the heir of Ruheemut Beebee, deceased, and orders were issued to make over to him her property; but he having in the meantime died, the present petitioner obtained the certificate of heirship, and orders were issued to put him in possession of the property on condition of his furnishing security for one year. Three years having since elapsed, without any one putting forth any objection, the necessity for the security being furnished no longer exists. In the Collector's Yad, directing the proceeds of the Surinjam to be transferred to the credit of Government, the portion previously credited as intestate property is not included; it is, therefore, together with all the rest of

the property, after deducting the amount due to Government on account of the petitioner having pleaded as a pauper, to be made over to him, and his receipt taken."

11. At the annual value assigned to the Surinjam in the revised lists (Rs. 637-8-0), the proceeds for the eighteen years from 1829 to 1847, which should have been paid into the public treasury, would amount to nearly Rs. 11,000, two-thirds of which would probably be about the actual value.

12. But a small fraction of this sum appears, however, to have found its way into the hands of the person to whom Mr. Brown ordered the whole proceeds of the Surinjam realised subsequently to Ruheemut Beebee's death in 1829 to be paid; the greater portion seems to have been made away with in the Nazir's Office.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner.

No. 97 of 1856.

Political Department.

From R. Keays, Esq.,
Agent for Sirdars in the Deccan,

To H. L. Anderson, Esq.,
Secretary to the Government of Bombay.

Dated Poona, 11th March 1856.

Sir,—With reference to your letter No. 3642 of the 29th August last, I have the honour to state, for the information of the Right Honorable the Governor in Council, that the late Ruheemut Beebee held a Surinjam in the Poona Collectorate, which was entered in the revised lists of 1847 as No. 1 of List No. 4.

2. Captain Cowper, Inam Commissioner of the Northern Division, has, in his letter No. 150 dated the 7th February 1855, a copy of which was transmitted to this department with the Government letter No. 739 of the 14th idem, laid before Government the correspondence which has previously taken place on the subject of this Surinjam, as also the ultimate decision of the Honorable the Court of Directors, conveyed in paragraph 52 of their political despatch No. 15 dated the 22nd May 1849.

3. Ruheemut Beebee died on the 1st of September 1829, and the Surinjam held by her lapsed to Government from that date. It was, however, erroneously attached as intestate property by the Poona Adawlut, which Court held the management of it from the 1st September 1829 up to the 17th of December 1845, when the Surinjam was made over to the charge of the Collector of Poona.

4. The accompanying four statements, marked A, B, C, and D, have been

prepared from Murathee documents received from the Judge's department. The statement A shows the proceeds of the garden at Poona during the years 1834, 1835, 1838, 1840, 1841, 1842, 1843, 1844, and 1845, amounting to Rs. 843 5-1; the statement B shows the proceeds of the land at Pabul, during the years 1831, 1838, 1839, 1840, 1841, 1842, 1843, 1844, and 1845, amounting to Rs. 999-12-5; the statement C exhibits the proceeds of the private property of the deceased; and the statement D exhibits the disbursements of the above proceeds.

5. It does not clearly appear what sums were disbursed from the proceeds of the Surinjam, and what from the proceeds of the private property, and hence the necessity of submitting the statement marked C.

6. The total of receipts is Rs. 2,445-5-7 (vide statements A, B, and C), and the total of disbursements is Rs. 2,441-5-7 (vide statement D), which is less than the total of receipts by Rs. 4 only. This deficiency is accounted for in the following paragraph.

7. This department has obtained from the Adawlut an extract from the Nazir's day-book, showing the receipts and disbursements on account of Ruheemut Beebee's estate. In this extract the balance in the year 1834 is shown to be Rs. 9, whereas, the balance carried forward to the next year's account (1835) is Rs. 5 only, there being thus a deficiency of Rs. 4. In explanation of this, the Nazir of the Poona Adawlut states in his report of 1st June 1855, that the journal or daily account for nine months of the year 1834, viz. from the 1st of April to the 31st of December, is not forthcoming; that in the years 1833 and 1835 (vide statement D) certain sums are shown to have been disbursed on account of lights in the houses at Poona belonging to the deceased; and that it may be inferred from this that an item of Rs. 4 must have been debited in the journal which is missing.

8. I beg to submit, for the information of Government, translations of the statements of two Karkoons (dated 3rd and 4th September 1855) in regard to the Nazir's accounts for 1834.

9. It will be observed that the proceeds of the garden at Poona have not been brought to account in the Nazir's Office during the years 1829, 1830, 1831, 1832, 1833, 1836, 1837, and 1839 (vide statement A). The Nazir, on being required to afford explanation, states (in his report of 5th September 1855) his inability to trace out the cause of it.

10. It will be likewise perceived that the proceeds of the land at Pabul have not been credited in the Nazir's accounts during the years 1829, 1830, 1832, 1833, 1834, 1835, 1836, and 1837 (vide statement B). The management of this land was under the immediate superintendence of the Moonsiff's Court at Tullegaum. The accounts of the management of the land, which accounts are said to have been forwarded by the Moonsiff to the Judge, are reported by the Nazir of the Adawlut (in his report of 17th November 1855) to be not forthcoming.

11. I have ascertained from the Collector of Poona that the actual value of the Surinjam, on an average of five years' income, from 1846-47 to 1850-51,

inclusive, amounts to Rs. 311-6-5. At this valuation, the proceeds of the Surinjam during a period of sixteen years, three months, and seventeen days, from 1st September 1829, the date on which the Surinjam was attached, up to the 17th of December 1845, when it was transferred to the charge of the Collector of Poona, amount to Rs. 5,074-15-6, from which deduct Rs. 1,843-1-6, being the total of receipts of the Surinjam as shown in statements A and B, and the balance is Rs. 3,231-14-0, which is not accounted for in the Nazir's Office.

12. Since the property was under the management of the Nazir during the whole of this period, and since, through their gross and obvious neglect, if not something worse, this money has been made away with, I consider that the only way to deal with the matter now is to hold the survivors responsible for the defalcation in proportion to the period each of them held office. (Vide list marked E.)

13. That portion of the defalcation which accrued during the period of those who are now deceased must, of course, be written off.

14. I respectfully offer the above suggestion for the consideration of Government.

I have the honour to be, &c.

Agent's Office, Poona, 11th March 1856. (Signed) R. Keays, Agent.

A.

Statement of the Proceeds of the Garden at Poona, held in Surinjam by the late Ruheemut Beebee.

				Rupees.		
To amount realized during	the last four months	of the year	1829..	....		
Ditto	ditto	ditto	1830..	....		
Ditto	ditto	ditto	1831..	....		
Ditto	ditto	ditto	1832..	....		
Ditto	ditto	ditto	1833..	....		
Ditto	ditto	ditto	1834..	125	0	0
Ditto	ditto	ditto	1835..	84	0	0
Ditto	ditto	ditto	1836..	....		
Ditto	ditto	ditto	1837..	....		
Ditto	ditto	ditto	1838..	75	0	0
Ditto	ditto	ditto	1839..	....		
Ditto	ditto	ditto	1840..	80	0	0
Ditto	ditto	ditto	1841..	85	0	0
Ditto	ditto	ditto	1842..	156	0	0
Ditto	ditto	ditto	1843..	78	15	7
Ditto	ditto	ditto	1844..	139	5	6
Ditto	ditto	ditto	1845..	20	0	0
			Total....Rs.	843	5	1

(Signed) R. Keays, Agent.

B.

Statement of the Proceeds of the Land, &c. at Pabul, held in Surinjam by the late RUHEEMUT BEEBEE.

				Rupees.		
To amount realized during the last four months of the year			1829..			
Ditto	ditto	ditto	1830..	....		
Ditto	ditto	ditto	1831..	33	0	0
Ditto	ditto	ditto	1832..	....		
Ditto	ditto	ditto	1833..	....		
Ditto	ditto	ditto	1834..	....		
Ditto	ditto	ditto	1835..	....		
Ditto	ditto	ditto	1836..	....		
Ditto	ditto	ditto	1837..	....		
Ditto	ditto	ditto	1838..	105	14	2
Ditto	ditto	ditto	1839..	100	0	0
Ditto	ditto	ditto	1840..	140	4	0
Ditto	ditto	ditto	1841..	150	0	0
Ditto	ditto	ditto	1842..	135	8	0
Ditto	ditto	ditto	1843..	114	8	0
Ditto	ditto	ditto	1844..	90	10	3
Ditto	ditto	ditto	1845..	130	0	0
			Total....Rs.	999	12	5

(Signed) R. KEAYS, Agent.

C.

Statement of Receipts of the Private Property belonging to the late RUHEEMUT BEEBEE.

To amount realized in 1836, by the sale of bullocks ....Rs.					13	7	0
Ditto	ditto		ditto	in 1838..	16	0	4
Ditto	ditto	in 1841, on account of house-rent.			48	0	0
Ditto	ditto	1842,	ditto	ditto..	9	8	0
Ditto	ditto	1846,	ditto	ditto..	65	14	6
Ditto	ditto	1847,	ditto	ditto..	71	11	3
Ditto	ditto	1848,	ditto	ditto..	40	7	3
Ditto	ditto	1849, on account of sale of houses in Poona.......			37	4	0
				Total....Rs.	602	4	1

(Signed) R. KEAYS, Agent.

D.

Statement of Disbursement of the Proceeds of the Land, &c. at Pabul, and of the Garden at Poona, held in Surinjam by the late RUHEEMUT BEEBEE, *and of the Private Property which belonged to her.*

By amount disbursed in the year 1830, on account of lights in the houses at Poona ....Rs.				4	4	0
Ditto ditto in 1831, ditto				9	0	0
Ditto ditto 1832, ditto				7	12	0
Ditto ditto 1833, ditto				3	0	0
Ditto ditto 1835, ditto				5	13	9
Ditto ditto 1836, ditto				4	6	6
Paid in the year 1838.						
To Vissajee Ramchunder, Mookhtiar of Zoolficar Allee ....Rs.	217	2	9			
To labourers employed in the garden land at Pabul	15	12	0			
To labourer for bringing chillies for sale..........	0	5	0			
				233	3	9
Paid in the year 1842.						
To Gungadhur Sudasew Vukeel ....Rs.	191	8	0			
To Nundram Naik Gowndee, for building a gutter in front of the house........................	34	2	7			
For turning tiles	15	7	0			
				241	1	7
Paid in the year 1843.						
For cutting down prickly-pears, which had grown on the land..................................Rs.	2	9	0			
In this year a certain sum of money on account of intestate property was paid into the treasury of the Collector of Poona, and Rs. 12-15-0, which formed a portion of the proceeds of the land at Pabul, and which was by mistake credited in the accounts of the Nazir of Poona to the head of intestate property, instead of to the head of the deceased Ruheemut Beebee, or to those of her heirs, were also paid into the treasury along with the above sum	12	15	0			
				15	8	0
Paid in the year 1844.						
To Ramchunder Chintamun Putwurdhun Vukeel				193	8	0

In 1845 the land, &c. at Pabul was farmed out for Rs. 130, out of which Rs. 78-8-0 were received by the Moonsiff of Tullegaum, and the collection of the remainder, Rs. 52-8-0, was assigned

to the Mamlutdar, when the land, &c. was made over to his charge..Rs. 52 8 0

Paid in the year 1848.

To Hidayud Beebee, wife of Umroodeen, and guardian of Mynodeen and Imamoodeen........ Rs.	420	4	0			
To Hidayud Beebee, guardian of Mynodeen and Imamoodeen................................	240	0	0			
To Mynodeen and Imamoodeen, heirs of Umroodeen, heir of Ruheemut Beebee	40	7	0			
				700	11	0
Paid in the year 1849 to Mynodeen				970	9	0
Total.... Rs.				2,441	5	7

(Signed) R. Keays, Agent.

Translation of the Statement of Dajee Vittul Kulwuday, *dated 3rd September* 1855.

In answer to a question put to me, I beg to state that I have been a Karkoon in the Judge's Office since the year 1831. I have served in the Nazir's Office for some years. Govind Rao Jyram was Acting Nazir till the end of March 1834, and on the 1st April following Mr. Forjett became Nazir. From that time he kept the cash accounts in his own handwriting in English, and during the time he held the office he wrote all accounts in English with his own hand. I do not know where those account books now are. I do not now perfectly recollect whether in his time accounts were kept in Murathee or not. I was a Karkoon in the Nazir's Office from the commencement up to the close of Mr. Forjett's administration, and hence my knowledge of the said accounts. —Dated as above.

(Signed) Dajee Vittul Kulwuday.
,, Sudanundrao Vishwanath,
Acting Nazir.

(True translation)

(Signed) R. Keays, Agent.

Translation of the Statement of Ragho Bhikajee, *Karkoon, aged forty-six years, dated 4th September* 1855.

In reply to a question put to me, I beg to state that I think that in the year 1834 Govind Rao Jyram was Acting Nazir for some months, and afterwards Mr. Forjett was Nazir for some time. I do not at present recollect how many months each of them held the office. During the administration of Mr. Forjett, cash accounts were, I think, kept by him in English, but I do

not perfectly recollect this. From the year 1835 I have been employed as a Government Karkoon in the Nazir's Office, and before that year I was paid out of batta, &c. for about five or seven years. I think that Mr. Forjett used to keep accounts in English. I do not exactly recollect this, owing to the length of time which has elapsed.—Dated as above.

(Signed) RAGHO BHIKAJEE, Karkoon.
,, SUDANUNDRAO VISHWANATH, Acting Nazir.

(True translation)
(Signed) R. KEAYS, Agent.

E.

List showing the Names of the Individuals who held the Office of Nazir of the Poona Adawlut from 1st September 1829 to 17th December 1845; also the period during which each held Office, and the proportion of Rs. 3,231-14-0 which falls to the share of each.

1. Ramchunder Shreerungjee (dead).	From 1st September 1829 to 24th June 1830, Rs. 161-6-0.
2. Gunesh Krishn (alive)	From 25th June 1830 to 30th September 1830, Rs. 53-3-11.
3. Shreedhur Lukshoomun (dead)..	From 1st October 1830 to 16th November 1832, Rs. 422-2-11.
4. Babjee Krishn Fatuk (not known where he is)	From 17th November 1832 to 25th January 1833, Rs. 38-0-6.
5. Neelkunt Rao Vishnoo (alive) ..	From 26th January 1833 to 4th March 1833, Rs. 20-10-4.
6. Govind Rao Jyram (dead)......	From 5th March 1833 to 31st March 1834, Rs. 212-15-11.
7. Mr. C. Forjett (alive)..........	From 1st April 1834 to 31st March 1835, Rs. 198-5-2.
8. Neelkunt Rao Vishnoo (alive)..	From 1st April 1835 to 30th June 1841, Rs. 1,239-6-7.
9. Pootlajee Ramchunder (alive)..	From 1st July 1841 to 23rd April 1842, Rs. 161-6-0.
10. Gopinath Rughoonath (alive) ..	From 24th April 1842 to 21st July 1843, Rs. 246-10-11.
11. Bazunjee Framjee (alive)	From 22nd July 1843 to 25th June 1844, Rs. 184-3-2.

12. Gopinath Rughoonath (alive)..	From 26th June 1844 to 5th October 1844, Rs. 55-6-9.
13. Bazunjee Framjee (alive)......	From 6th October 1844 to 17th December 1845, Rs. 237-15-10.

(Signed) R. KEAYS, Agent.

Resolution of Government under date 20th March 1856.

RESOLVED,—The Right Honorable the Governor in Council considers this statement to be most unsatisfactory. It cannot be doubted that a robbery has been committed, and that to regard these proceedings as carelessness would be a misapplication of terms. Accounts of the receipts of several years are missing, and the disbursements appear to the Right Honorable the Governor in Council to demand much explanation. In 1838, 1842, and 1844 sums amounting altogether to about Rs. 600 were paid to Vukeels. Why were these sums paid? Again, in 1848 and 1849, upwards of Rs. 1,000 were paid to the heirs of Umroodeen, the heir of Ruheemut Beebee. This was done, probably, in virtue of Mr. Brown's order, which order was, as pointed out by Captain Cowper in the 9th and 10th paragraphs of his report of the 7th February, No. 150 of 1855, in direct violation of a specific condition in Mr. Warden's previous instructions. It is quite impossible that Mr. Brown should have issued this order, if Mr. Warden's previous directions had been brought to his notice. This is a common species of fraud, and one which should be checked by a severe example. The Agent should, therefore, report who were the subordinate or subordinates whose duty it was to bring Mr. Warden's order prominently to the notice of Mr. Brown. He should also explain why the payments alluded to above were made to the Vukeels.

A copy of Mr. Keays' report, with the accompanying statements and this resolution, should also be forwarded to Captain Cowper, with a request that he will favour Government with any further remarks which a perusal of the correspondence may suggest to him.

No. 1517 OF 1856.

POLITICAL DEPARTMENT.

To Captain T. A. COWPER,
Inam Commissioner Northern Division.

SIR,—With reference to your letter No. 150 dated the 7th ultimo, reporting the misappropriation of the proceeds of the Surinjam entered as No. 1 of List 4 of the revised lists of 1847, held by the late Ruheemut Beebee, after its lapse to Government, I am directed by the Right Honorable the Governor in Council to transmit to you copy of a letter from Mr. Keays, Agent for

Sirdars in the Deccan, dated the 11th ultimo, and of a resolution thereon passed by Government under date the 20th of the same month.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 3rd April 1856.

No. 318 OF 1856.

POLITICAL DEPARTMENT.

From Captain T. A. COWPER,
Inam Commissioner Northern Division,

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

Dated Bombay, 25th April 1856.

SIR,—As directed in the resolution, a copy of which accompanied your letter No. 1517 of the 3rd instant, I have the honour to state that the whole case therein referred to will, I believe, be found, on thorough investigation, to be one of premeditated fraud and robbery, which have prevailed to a most serious extent in the office of the Nazir of the Poona Adawlut during years past.

2. When Mr. LeGeyt was Judge and Agent, I spoke to him about the Surinjam regarding which the present inquiry has been made, and he then informed me that the accounts of the Nazir's Office had been found in a state clearly indicating previous embezzlement of public money, probably to a large amount.

3. From this; from the circumstances which have transpired in the present case; and from much that I have heard in Poona during the last thirteen years, I believe it essentially necessary for the protection of the public that the Nazir's operations should be subject to rules, supervision, and periodical check, which, in so far as I am aware, even now are either altogether wanting or very imperfect.

I have the honour to be, &c.

(Signed) T. A. COWPER, Captain,
Inam Commissioner Northern Division.

No. 2162 OF 1856.

POLITICAL DEPARTMENT.

To C. M. HARRISON, Esq.,
Acting Judge of Poona, and Agent for Sirdars in the Deccan.

SIR,—With reference to my letter No. 1516 dated the 3rd ultimo, relative to the misappropriation of the proceeds of the Surinjam held in the Poona

Collectorate by the late Ruheemut Beebee, and entered as No. 1 of List 4 of the revised lists of 1847, I am directed by the Right Honorable the Governor in Council to transmit to you copy of a further report from Captain Cowper, No. 318, dated the 25th ultimo, and to inform you that Government awaits from you, after the institution of a most searching inquiry, a full report of the frauds therein alluded to practised in the office of the Nazir of the Poona Adawlut.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 6th May 1856.

No 139 OF 1856.

POLITICAL DEPARTMENT.

From C. M. HARRISON, Esq.,
Acting Agent for Sirdars in the Deccan,

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

Dated Poona, 2nd May 1856.

SIR,—Under the instructions contained in the resolution of Government passed under date the 20th March last, and received with your letter No. 1516 of the 3rd ultimo, I have the honour to explain that Nuwab Zoolficar Allee having filed a suit against Umroodeen for Rs. 9,975, regarding the estate of the late Ruheemut Beebee (attached on her death in 1829 as intestate property), and obtained decrees in his favour both in the original and appeal Zillah Courts, Rs. 217-2-9, from the proceeds of the garden, &c. were, under these decrees, paid to his Mookhtiar or accredited Agent in 1838. (Vide statement D, accompanying Mr. Keays' letter to Government, No. 97 of 11th March 1856.)

2. Umroodeen defended these suits as a pauper, and having subsequently made a special appeal to the Sudder Dewanee Adawlut, and the decrees of the lower Courts having been reversed, he was thereafter declared to be the heir of Ruheemut Beebee, and the items of Rs. 191-8-0 and Rs. 193-8-0, the former in 1842 and the latter in 1844, were paid on account of fees due to the Vukeels employed by him and by Nuwab Zoolficar Allee in that Court. (Vide statement D mentioned above.)

3. Mr. Warden's order regarding the Surinjam was, I have the honour to state, brought prominently to notice in the Nazir's report dated the 7th July 1848, and it was the duty of the then Sheristedar, Gunputrao Dhondeo, (since dead) to read and explain this to Mr. Brown.

I have the honour to be, &c.

(Signed) C. M. HARRISON, Acting Agent.

Agent's Office, Poona, 2nd May 1856.

(True copy)

(Signed) H. L. ANDERSON, Secretary to Government.

No. 2332 of 1856.

Political Department.

From H. L. Anderson, Esq.,
Secretary to Government, Bombay,

To Captain T. A. Cowper,
Special Commissioner, in charge of Alienation Department.

Dated 12*th May* 1856.

Sir,—With reference to my letter No. 1517 dated the 3rd ultimo, relative to the misappropriation of the proceeds of the Surinjam entered as No. 1 of List 4 of the revised lists of 1847, held by the late Ruheemut Beebee, after its lapse to Government, I am directed by the Right Honorable the Governor in Council to transmit, for any remarks which you may wish to offer thereon, copy of a communication from the Acting Agent for Sirdars in the Deccan, No. 139 dated the 2nd instant, submitting his explanation on the points called for in the Government resolution dated the 20th ultimo.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 12*th May* 1856.

No. 197 of 1856.

Political Department.

From Captain T. A. Cowper,
Officiating Special Commissioner,

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Bombay, 6*th June* 1856.

Sir,—In acknowledging the receipt of your letter No. 2332 dated the 12th ultimo, I have the honour to state, that from inquiries since made I am led to recommend that the Agent should be desired to submit a *complete* history of the estate of Ruheemut Beebee, from the date of its first attachment to that of its being at last paid away to persons who certainly had no right to the Surinjam, and probably as little to the remaining portion, explaining at the same time the exact nature and amount of the property attached; the measures adopted for its security or recognition during the series of years it remained under attachment; all complaints received during the period, together with the

manner in which they were disposed of; and the property which eventually was made over to those who obtained decrees or orders.

2. Were complete information on these and all other points connected with this case before Government, it would, I believe, satisfy them of the necessity of reforming a system admitting of great abuses, while it would, at the same time, suggest the inquiry why it has been left to me to point out all this, and why the responsible officer in charge of the records, and having authority over all the subordinates concerned, did not do so when desired by Government in the first instance to inquire carefully into the case.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Officiating Special Commissioner.

APPENDIX S.

No. 501 of 1854.

Political Department.

From Captain T. A. Cowper,
Inam Commissioner,

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated at Poona, the 27th September 1854.

Sir,—I have the honour to report upon the Surinjams entered in the revised lists as Nos. 25 and 26 of Class III.; the former in the names of "Bhewrabaee, mother, and Wittabaee, wife, of Bunnajee Holkar," and shown to consist of the villages of Moongee and Yellee, in the Ahmednuggur Collectorate, of the estimated value of Rs. 667-9-0; and the latter in the names of "Sugabaee, mother, and Oodabaee, wife, of Bapoojee Holkar," and shown to consist of the same villages as those composing Surinjam No. 25.

2. Up to the close of the Peshwa's Government, Moongee and Yellee, and a number of other villages, composing one-half of the Purguna of Shewgaum, were held by Holkar.

3. Moongee and Yellee, and all other possessions of Holkar in the Ahmednuggur Collectorate, were ceded to the British Government by the Treaty of the 6th January 1818.

4. Subsequently to the Treaty, sundry claims were preferred by Holkar's Government, some of which were, as a matter of grace and not of right, admitted; and among them were those of the dependents of Holkar, by whom many villages ceded by the Treaty had been previously held,—Moongee and Yellee being among these villages.

5. These villages were eventually disposed of under rules framed by the Deccan Commissioner, Mr. Chaplin, whose decisions, embodied in a statement which accompanied his letter No. 6, of the 2nd February 1821, were confirmed by the Bombay Government in their Political Secretary's letter No. 146, of the 15th February 1821. In the statement submitted by Mr. Chaplin, Yellee and Moongee were entered as villages

held in "Sounsar Bégmee," and to be continued "for life only" to "Bapoojee Holkar."

6. The rule under which Moongee and Yellee were at the introduction of the British Government continued, as explained in the last paragraph, as a life-holding, to *Bapoojee Holkar*, is below transcribed :—

"5. Grants in Sounsar Bégmee, &c. to persons of the Aptmundulee to be held for life only, although they may be expressed in the Sunud as perpetual; and if not so expressed, to be resumed at once, unless they should already have descended beyond the original grantee, in which case they will be admitted for life."

7. The terms upon which the restoration or continuance of these grants had been sanctioned by the Governor General were thus described in the 12th paragraph of Mr. Chaplin's letter of the 23rd July 1820 to the Bombay Government :—

"12. It has already been determined by the Governor General, that all grants to be continued should be held exclusively of us, and in all respects on the same footing as other grants of the same description made by ourselves; it will, therefore, be proper to grant new Sunuds with these stipulations to each person."

8. That these grants, in regard to which final decisions had thus been passed, were viewed as wholly distinct and separate from the Surinjams held from the Peshwa, in regard to the continuance of which no decisions had been passed, is shown by their not having been included in the General Register of Personal Jagheers forwarded to the Bombay Government with Mr. Chaplin's letter No. 121, of the 28th October 1822.

9. On the 31st October 1827, the Collector of Ahmednuggur made the following report to Government :—

"I have the honour to report the death on the 29th July of Bunnajee wulud Sheteeajee Holkar, who enjoyed, as life-grant, half of the Jagheer Umul or share of the revenue of the Kusba of Moongee and of the village of Yellee, in Purguna Shewgaum, the other half being similarly assigned to his cousin, who still enjoys it.

"2. The Tunka of the Jagheer share of revenue in question is Rs. 4,412-1-62, half of which has thus lapsed; the exact amount of realizable revenue, however, is not to be found on my records.

"3. Deceased has left a mother and wife, who are dependent on the consideration of Government for their decent maintenance, and for which such provision is required as the Honorable the Governor in Council may think proper."

10. The Government reply was conveyed in their Revenue Secretary's letter No. 2173, of the 15th November following, below transcribed.

"I am directed to acknowledge the receipt of your letter dated the 31st ultimo, reporting the death of Bunnajee wulud Shetecajee Holkar, and to inform you that the Honorable the Governor in Council is pleased to grant the value of one-fourth of the lapsed amount of the Jagheer Umul to the mother, and one-fourth to the wife of the deceased, during their respective lives.

"2. You will be pleased to report the amount to be disbursed under this arrangement."

11. The information called for in the 2nd paragraph of the Revenue Secretary's letter quoted in the last paragraph does not appear, the Collector of Ahmednuggur has informed me (in letter No. 580, of the 23rd May 1854), to have been furnished to Government.

12. On the 24th November 1832, the Collector of Ahmednuggur made the following report to Government:—

"Collector to Secretary to Government, October 31st 1827. Chief Secretary's letter to Collector, 15th November 1827.

"With reference to the correspondence noted in the margin, I have the honour to inform you of the death on the 30th September of Bapoojee wulud Tooljajee Holkar, who enjoyed half of the Jagheer Umul of the villages of Moongee and Yellee, in Shewgaum Purguna.

"2. The deceased has left a mother, named Sugabaee, and wife, Oodabaee, for whom I would beg leave to solicit the same allowance that was granted to the widow and mother of Bunnajee Holkar, in Mr. Secretary Bax's letter of 15th November 1827.

"3. In the case of Bunnajee Holkar it was decided that this Jagheer is not hereditary. I have not, therefore, noticed the fact of Bapoojee having an adopted son and a brother who are heirs to his property."

13. The Government reply, conveyed in the Revenue Secretary's letter No. 246, of the 25th January 1833, was as follows:—

"I am directed to acknowledge the receipt of your letter dated the 24th November last, reporting the death of Bapoojee wulud Tooljajee Holkar, and to inform you that the Right Honorable the Governor in Council is pleased to continue a fourth of the lapsed portion of the Jagheer Umul of the villages of Moongee and Yellee to the mother, and an equal portion to the widow, during the lifetime of the parties.

"2. You will be pleased to report the amount which, under these instructions, you will have to pay those two persons."

14. The information called for in the 2nd paragraph of the Revenue Secretary's letter quoted in the last paragraph was furnished by the Collector of Ahmednuggur on the 6th June 1833, No. 510, in the following terms.

"I have the honour to acknowledge the receipt of your letter dated 25th January last, and, in reply to the 2nd paragraph, to state that the share of the revenues of Moongee and Yellee, which belonged to Bapoojee wulud Tooljajee Holkar, amounted in Fuslee 1242 (A. D. 1832-33) to Rs. 788-2 qrs., consequently, a fourth to the mother will be Rs. 197-0-50 rs., and an equal portion to the wife will be a similar sum, making an aggregate annual payment of Rs. 394-1 qr."

15. Yellee and Moongee were not entered in the lists of Surinjams prepared in 1834 and 1840. They were shown, for the first time, as Nos. 23 and 24 of Class III. in the lists prepared in 1844 by the Agent for Sirdars, Mr. Warden; the entries are as follows :—

Number.	Name of the Original Grantee.	Name of the Present Incumbent.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village.			Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	The Tenure.	Remarks.
1	2	3	4	5	6			7	8	9	10	11	12
					Rs.	a.	p.	A. D.					
23	Bunnajee Holkar.	Bhewrabaee, mother; and	Ahmednuggur.	Moongee..	368	1	0	1796	62 years.	..	None.	For life, and no pension to heir.	This grant was in a cession from Holkar to the British Government, and, according to a memorandum furnished by the latter, might have been resumed at the death of Bunnajee Holkar. The British Government, however, continued a moiety to his mother and wife, on the decease of each of whom a moiety of the remainder should be resumed.
		Wittabace, wife, of Bunnajee Holkar.	Ditto.	Yellee....	299	8	0	1796	32 years.				
				Total..	667	9	0						
24	Bapoojee Holkar.	Sugabaee, mother; and	Ditto.	Moongee..	368	1	0	1796	77 years.	..	Ditto.	Ditto.	Ditto ditto.
		Oodabaee, wife...	Ditto.	Yellee....	299	8	0	1796	35 years.				
				Total..	667	9	0						

16. On the revision of Mr. Warden's lists by his successor, Mr. Brown, Moongee and Yellee were entered as Nos. 25 and 26 of Class III., as shown below:—

Number.	Name of Original Grantee.	Name of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of Present Incumbent, and whether the first or second British Grantee.	No. in the List prepared in 1834.	Soobhas in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Incumbent.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	Whether the Surinjam has been continued beyond the Second Generation from the Conquest.	The Tenure.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
							Rs. a. p.	A. D.		Rs.					
25	Bunnajee Holkar.	Bunnajee Holkar.	Bhewrabaee, mother; and Wittabaee, wife of Bunnajee Holkar, 2nd British Grantee.	..	Ahmednuggur.	Moongee.	368 1 0	1796	62 years.	..	None.	No.	Forlife, and no pension to the heir.	..	The remarks in the preceding No. 24 are applicable to Bunnajee Holkar. By an order of Mr. Commissioner Chaplin, dated 2nd February 1821, the Surinjam was sanctioned in the names of the two ladies, the present incumbents. Mr. Warden recommended that on the death of these ladies the Surinjam should be resumed. (Vide column 14 of this list.) The date of original grant is taken from a Sunud in possession of this Surinjamdar, bearing date Suba Teesum (A. D. 1796), which confers this Surinjam.
				..	Ditto.	Yellee...	299 8 0	1796	32 years.						
						Total..	667 9 0								
26	Bapoo Holkar.	Bapoo Holkar.	Sugabaee, mother; and Oodabaee, wife, 2nd British Grantee.	..	Ditto.	Moongee.	368 1 0	1796	77 years.	..	Ditto.	No.	Ditto.	..	Vide preceding remarks, which are applicable to the present incumbents.
				..	Ditto.	Yellee...	299 8 0	1796	35 years.						
						Total.	667 9 0								

17. The revised lists seem to have been defective in the following instances:—

1st.—These entries ought not to have been made at all, as there were not, and are not any such Surinjams in existence: the Surinjams were resumed many years previously, and that which the lists describe as two Surinjams consists in reality of four pensions granted on the lapse of the Surinjams. (See paragraphs 10 and 13 of this letter.)

2nd.—In *each* case the holding is shown in the revised lists to consist of two villages, Yellee and Moongee; whereas in each case the value assigned ought to have been that of one-half of the Jagheer Umul only of the two villages.

3rd.—In the column of remarks it is stated,—" By an order of Mr. Commissioner Chaplin, dated 2nd February 1821, the Surinjam was sanctioned in the names of the two ladies"; whereas it has been shown in paragraph 5 that Mr. Chaplin's order continued the Jagheer Umul of *both* villages to *one* person, Bapoojee Holkar, and that the pensions granted to the two ladies in each case were not granted (see paragraphs 9 to 14) until after the resumption of the Jagheer Umul of the two villages, and were then granted, not by Mr. Chaplin's order of 1821, but by the orders of the Bombay Government of 1827 and 1833.

4th.—In the same column it is stated,—" The date of original grant is taken from a Sunud in possession of this Surinjamdar, bearing date Suba Teesain (A. D. 1796), which confers this Surinjam." But among the Murathee records received from the Agent, there is not a single document to show that the statements of the persons who enjoy these pensions were ever called for and taken, and no trace of any Sunud or copy of a Sunud can be anywhere discovered.

5th.—The entry No. 25 in the revised lists describes Bunnajee Holkar as the original grantee and incumbent, at the introduction of the British Government, of the Surinjam. But no Surinjam whatever was continued to *Bunnajee* Holkar by Mr. Chaplin's order; *Bapoojee* Holkar was the person entered (see paragraph 5) in Mr. Chaplin's statement as the original grantee of both the Jagheer Umuls, and as the person to whom, as the holder at the introduction of the British Government, both the Umuls were to be continued.

18. Under these circumstances, it would appear that these entries should not have been made in the revised lists, and that they should now be expunged from them.

19. Government will, probably, not consider it expedient now to question the right of the widow and mother of Bunnajee Holkar to the

pensions they draw, and which were granted (see paragraphs 9 to 11) by the order of the 15th November 1827.

I have the honour to be, &c.
(Signed) T. A. Cowper, Captain,
Inam Commissioner.

No. 4427 of 1854.

Political Department.

To Captain T. A. Cowper,
Inam Commissioner.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 501, dated the 27th ultimo, and, in reply, to inform you that orders will this day be issued to the Agent for Sirdars in the Deccan to expunge the two entries Nos. 25 and 26 in Class III. of the revised Surinjam lists, as they are proved by your report not to be Surinjams, but pensions granted on the lapse of Surinjams.

2. It is presumed that the villages of Moongee and Yellee are not now held by the mothers and wives of Bapoojee and Bunnajee Holkar, but that money payments only are made to them. The Collector of Ahmednuggur has, however, been requested to report on this point, and to state specifically how much is paid to the mother and widow of Bunnajee Holkar, as required in the 2nd paragraph of Government letter No. 2173, dated the 15th November 1827.

3. His Lordship in Council concurs in the view expressed in the last paragraph of your letter, that it would not be expedient now to interfere with the pension of the widow and mother of Bunnajee Holkar, although it may have been granted through error; the only Surinjamdar being *Bapoojee* Holkar.

I have the honour to be, &c.
(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 14*th October* 1854.

Extract Paragraph 18 *from a Despatch from the Honorable the Court of Directors, dated the* 12*th December, No.* 27 *of* 1855.

Para. 18. The statement in the revised lists respecting these holdings is shown to be flagrantly and carelessly incorrect, and proves with how little care and circumspection Messrs. Warden and Brown per-

formed the important duty of preparing these lists. But the orders in the Revenue Department dated the 30th of October 1827, granting pensions to the widow and mother of Bunnajee Holkar, might have been more explicit. The words were,—" The Governor in Council is pleased to grant the value of one-fourth of the lapsed amount to the mother, and one-fourth to the wife" ; and the Collector of Ahmednuggur, who seems not to have understood that a money grant was intended, left the ladies in possession of the Umul itself (reduced, we hope, to one-half, as directed,) which in the case of one of the two villages, Moongee, they still possess. The other village, Yellee, having been resumed in 1836, a money equivalent is paid to the ladies for their share in its revenues.

APPENDIX T.

No. 386 of 1853.

Political Department.

To W. Hart, Esq.,
Inam Commissioner.

Vol. II. of 1817 (vide pages 202 to 241).
Vol. II. of 1819 (vide pages 11 to 188).
Comp. No. 1311 of 1850.
Ditto 222 of 1851.
Ditto 275 of 1852.
Two Comps. marked A and B, containing copies of proceedings for the years 1816 and 1818.

Sir,—With reference to entry No. 27 of Class I. of the revised Surinjam lists, I am directed by the Right Honorable the Governor in Council to transmit to you an extract paragraph 15 from a despatch from the Honorable the Court of Directors, No. 33, dated the 3rd November last, together with the proceedings in original (to be returned with your reply) as noted in the margin, and to request you will report whether the village of Sherusnee was *bonâ fide* granted in the year 1717 to the great-great-grandfather of the late Saojee Rao Nimbalkur.

I have the honour to be, &c.
(Signed) A. Malet,
Chief Secretary.

Bombay Castle, 27th January 1853.

Extract Paragraph 15 *from a Despatch from the Honorable the Court of Directors, dated the 3rd November, No.* 33 *of* 1852.

Further report on the application of Mankojee, adopted son of the late Saojee Rao Nimbalkur, for the continuance of his Surinjam.

Para. 15. In consideration of Mankojee's adoption having taken place in the time of the Peshwa, you recommend the continuance to him of the Surinjam of his adoptive father. We cannot consent to this recommendation in its full extent, but as the adoption was recognised at the time by the Peshwa's Government, we are willing that the village of Sherusnee (which was held anterior to 1751) should be continued to Mankojee on hereditary tenure,

with such additional pecuniary allowance, for life only, as will make up his income to half the value of the Surinjam of Saojee Rao.

No. 128 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,
To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, *15th March* 1853.

Sir,—I have the honour, in reply to your letter No. 1697, of the 5th instant, to state that the Moglaice, Surdeshmookee, and Foujdaree Umuls of the village of Sherusnee, in the Poona Collectorate, were in A. D. 1743-44 assigned in *military Surinjam* for the maintenance of the troops (पागेचे बेगमीचे) Pagaché Bégmees) commanded by Darkojee Nimbalkur.

2. The Sunud making the above assignment is registered in the State diary under date the 29th of Rubee-ool-Awul of the above year, Arba Arbain (A. D. 1743-44).

3. There are many accounts forthcoming, the latest being one for Khumus Ashur Myatain (A. D. 1814-15), and all show that this grant continued in force *as a military one*, Darkojee Nimbalkur being shown as the commander of the troops up to A. D. 1805-06, and from that year the name of Saojee Nimbalkur being entered.

4. It will be well here to specify the value of the village, and of each of the Umuls which composed the total revenue, and out of which Umuls three, as above stated, were from first to last assigned for the maintenance of the troops commanded by the Nimbalkur. In all the Peshwa's records the "Tunka" valuation is the one shown, and is as follows:—

Moglaice	Umul	Rs.	215	0	0
Surdeshmookee	ditto		43	0	0
Foujdaree	ditto		26	12	0
Babtee	ditto		107	8	0
Sahotra	ditto		12	8	0
Mokassa	ditto		107	8	0
Nimchowtaiee	ditto in two shares, each of Rupees 13-6-0		26	12	0
	Total	Rs.	539	0	0

5. The Babtee and Sahotra Umuls are entered in all forthcoming accounts as alienated to the Punt Suchew.

6. With regard to the Mokassa and Nimchowtaiee Umuls, there is such confusion in the accounts of the late Government, and this confusion has been so increased by mistakes which have been made since the introduction of the British Government, that it is impossible to ascertain to whom they properly belong, without a complete inquiry, and without calling upon all claimants to produce whatever proof they may possess in support of a title.

7. Under no circumstances, however, can the Nimbalkur claim the Mokassa or Nimchowtaiee on hereditary tenure, as it is clearly shown that for many years subsequent to A. D. 1751 both these Umuls belonged to other parties.

8. It seems probable that the Nimbalkur family will be found never authorisedly to have held these two Umuls on account of the troops they commanded; this, however, is a separate question, and one which I would recommend for separate consideration.

9. Much stress is sometimes laid on the propriety of preserving intact Mr. Elphinstone's arrangements, and in this opinion generally I entirely concur; but I conceive that in speaking of Mr. Elphinstone's arrangements we speak of the *principles* which he laid down so clearly and so minutely as those on which his settlement was made, and that we do not propose to take for granted that all the *detail* was necessarily correct. Indeed, we cannot do so, for we constantly find instances proving the contrary. One has come under my observation while making this inquiry, and it is such a very striking one that it is worth while to record it.

10. The Surinjam of Saojee Nimbalkur (including the village of Sherusnee, now reported on) is entered as No. 8 in the Class of "Paga Chiefs" in Mr. McDonnell's list of Jagheers (which list is nothing more than a detailed statement of the Surinjams entered in Mr. Elphinstone's list of Jagheers transmitted to the Supreme Government on the 25th October 1819), and the Mokassa and Nimchowtaiee Umuls of the village are therein shown as belonging to Government. But in another portion of Mr. McDonnell's list the Mokassa Umul is shown as forming part of the Surinjam of Umursing Jadow Rao, whose name will be found under the head of "Sirdars," No. 28.

11. In the (Chor Chittees) orders of release issued by the Commissioner, copies of which have been forwarded to me by the Agent for Sirdars, another mistake is apparent, the Mokassa Umul having been continued in two places. It is released as forming a portion of the Surinjam of Umursing Jadow Rao (Sirdars, No. 28), and it is also released as forming a portion of the Surinjam of Saojee Nimbalkur (Paga Chiefs, No. 8).

12. It appears that a portion of the village of Sherusnee, equal to

very nearly ⅘⅘ of the whole, was granted before A. D. 1751, and continued without interruption up to the latest date for which accounts are forthcoming. As far as the date of grant goes, therefore, the Surinjam becomes, under the orders adverted to in your letter under reply, an hereditary one. But it remains to be decided whether, being a *military Surinjam*, it can be continued under any circumstances.

I have the honour to be, &c.

(Signed) T. A. COWPER, Captain,
Assistant Inam Commissioner.

No. 1888.

From W. HART, Esq.,
Inam Commissioner,

To A. MALET, Esq.,
Chief Secretary to Government, Bombay.

Dated Belgaum, 6th April 1853.

SIR,—I have the honour to acknowledge the receipt of your letter No. 386, dated 27th January 1853, and to submit the following remarks regarding the case referred to in its accompaniments, which are herewith returned.

2. The annexed letter No. 128, dated 15th March 1853, from my Assistant, Captain Cowper, will show that the village of Sherusnee, *as a whole*, was never granted to the Nimbalkur family, but that three Umuls of it (viz. Moglaiee, Surdeshmookee, and Foujdaree) were assigned in A. D. 1743-44 for the maintenance of the troops commanded by Darkojee Nimbalkur.

3. Captain Cowper also shows that all the accounts in the Duftur concur in proving that the tenure of the above Umuls was not that of personal, but of military Surinjam; the latest of the accounts alluded to being one dated three years before the introduction of the present Government. Mr. Turquand, in his letter No. 98 of 1848, (enclosure No. 4 of a report from the Agent for Sirdars, No. 305, dated 20th December 1848,) quotes a number of Government records showing the same facts, but it would seem from his having unfortunately thought it unnecessary to give the English rendering of the phrases quoted by him, and from the Agent having persisted in adhering to a mistaken translation of the Sunud of A. D. 1747-48, (forming No. 1 of the enclosures of his letter No. 10, dated 11th January 1847,) that when the Honorable Mr. Willoughby wrote his Minute of the 7th August 1850 on the Acting Agent's letter No. 370, dated 31st July 1850 (political consultation No. 6988, September 1850,) some doubt existed as to the nature

of the original grant. It is evident, however, that there was not, in reality, any room for such doubt, the Umuls having been expressly granted and continued as military and not as personal Surinjam.

4. With respect to the case under consideration, the following errors and oversights seem to have occurred :—

1st.—Mr. Brown, in paragraph 3 of his letter No. 305, of the 20th December 1848, adheres to the translation of the Peshwa's Sunud of A. D. 1747-48, first submitted with his letter No. 10 of 1817, without pointing out, or appearing to observe that the untranslated extracts given by Mr. Turquand support that gentleman's rendering rather than his own. The words of the *original grant* quoted by Captain Cowper render further observations on this error unnecessary.

2nd.—The Nimbalkur's claims in Sherusnee are spoken of in many parts of the correspondence, and especially towards the close of the 3rd paragraph of the Agent's letter No. 305 of 1848, as if extending to the whole of "the revenue of the village," though shown in the documents quoted in respect to it by the Agent and Mr. Turquand, as well as by Captain Cowper, to have extended to only a portion of those revenues.

3rd.—The entry in the Surinjam lists of the name of Mankojee, as son of the late Saojee, being regarded as a recognition by the present Government of his adoption, has already been noticed as an error in the Government Minute of the 12th September 1851, and appears to have been reported as such to the Honorable Court of Directors on the 3rd February following.

4th.—Certain errors and discrepancies in Mr. McDonnell's list, as it affects this case, have been pointed out in the 10th and 11th paragraphs of Captain Cowper's letter now submitted, which paragraphs also prove the justice of the general observations regarding Mr. Elphinstone's Surinjam arrangements, contained in paragraph 9 of the same letter.

5. The essential question connected with this case is, however, that which forms the concluding sentence of Captain Cowper's letter; and with regard to it, I am respectfully of opinion that whatever provision is made for Mankojee Nimbalkur should be wholly dependent upon the pleasure of Government, and irrespective of the Rules for personal Surinjams held anterior to A. D. 1751.

I have the honour to be, &c.
(Signed) W. HART,
Inam Commissioner.

No. 4756 of 1854.

Political Department.

To P. W. LeGeyt, Esq.,

Agent for Sirdars, Poona.

Sir,—With reference to my letter No. 1072, dated the 11th March last, I am directed by the Right Honorable the Governor in Council to transmit to you an extract, paragraphs 30 and 31, from a despatch from the Honorable the Court of Directors, No. 23, dated the 16th August last, and to inform you that, in accordance with the decision therein contained, the Surinjam enjoyed by the late Saojee Rao Nimbalkur should be resumed from the 6th May 1846, the date of his demise, from which date a life pension equal to a moiety of the net proceeds of the estate should be continued to Mankojee Rao, his adopted son.

2. You are requested to report on the amount of pension to be granted under the Honorable Court's decision, some amendment being requisite in the calculation made in the letter from the Honorable Mr. Hobart, Assistant Agent for Sirdars in charge, dated the 5th November, No. 639 of 1853, the village of Sherusnee being resumed with the other portions of the Surinjam.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 15*th November* 1854.

Extract Paragraphs 30 *and* 31 *from a Despatch from the Honorable the Court of Directors, dated the* 16*th August, No.* 23 *of* 1854.

Further proceedings connected with the application of Mankojee for the continuance to him of the Surinjam formerly held by his deceased adoptive father Saojee Rao Nimbalkur.

Para. 30. The estate of Sherusnee (not an entire village, as we had been led to suppose but certain Umuls only) was a military and not a personal Surinjam, and the rule continuing on hereditary tenure certain estates held prior to 1751 does not apply to military Surinjams.

31. We are of opinion, with Mr. LeGeyt, the Agent for Sirdars, that the Surinjam properly lapsed on the death of the grantee Saojee Rao, but that a pension equal to half the net proceeds may be granted to Mankojee (who was recognised as his adopted son by the Peshwa's Government) from the date of resumption.

No. 5395 of 1854.

Political Department.

To E. C. Jones, Esq.,
Collector of Poona.

Sir,—Referring to the advice from this department No. 4757, dated the 15th November last, I am directed by the Right Honorable the Governor in Council to enclose copy of a letter from the Agent for Sirdars in the Deccan, No. 619, dated the 4th instant, with transcript of my reply of this date; and in pursuance of the Resolution communicated in the latter document, to convey to you the authority of Government for the payment from your treasury, with arrears from the 6th May 1846, to Mankojee Rao Nimbalkur, of the pension of Rs. 791 per annum now sanctioned by Government as a life-grant. This payment should not be made until you receive an intimation from the Agent for Sirdars that the records and accounts alluded to in the 3rd paragraph of Mr. LeGeyt's letter have been obtained from Mankojee Rao.

I have the honour to be, &c.
(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 28th December 1854.

No 619 of 1854.

Political Department.

From P. W. LeGeyt, Esq.,
Agent for Sirdars in the Deccan,

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Poona, 4th December 1854.

Sir,—I have the honour to acknowledge the receipt of your letter No. 4756, of the 15th ultimo, with accompaniment, informing me that the Surinjam held by the late Saojee Rao Nimbalkur should be resumed from the 6th May 1846, the date of his demise, and that a life pension, equal to a moiety of the net proceeds of the estate, should be granted from the above date to his adopted son Mankojee Rao, and desiring me to report the amount of pension to be granted to him.

2. In reply, I beg to state that in paragraphs 1 and 2 of the letter from the Acting Assistant Agent in charge, No. 639, dated the 5th November 1853, the net proceeds of the two villages of Tudowlee and Latee

were shown to be Rs. 1,340-13-6 + 193-3-6 = Rs. 1,534 1-0. In paragraph 3 of the above letter, the yearly average of the village of Sherusnee was shown to be Rs. 69-0-11. From this sum, Rs. 14-6-2, on account of expenses of collection, at the rate of Rs. 20-13-3 per cent. being deducted, there remains a balance of Rs. 51-10-9. This sum being added to the above sum of Rs. 1,534-1-0, gives the total of Rs. 1,588-1-10, and a moiety of this now to be continued in the shape of pension amounts to Rs. 794-5-10.

3. I have requested the Collectors of Poona and Sholapore to obtain from Mankojee Rao the whole of the records and accounts in his possession relative to the Surinjam held by his deceased adoptive father Saojee Rao, and on receipt of their replies, the orders of Government, contained in their letter No. 5131, of the 14th December 1852, will be attended to.

4. I beg to add that the grant of the pension to be continued to Mankojee Rao should be subject to the conditions specified in Mr. Malet's letter No. 612, of the 6th February last.

I have the honour to be, &c.
(Signed) P. W. LeGeyt,
Agent.

Agent's Office, Poona, 4th December 1854.

No. 5392 of 1854.

Political Department.

To P. W. LeGeyt, Esq.,
Agent for Sirdars in the Deccan.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 619, dated the 4th instant, reporting on the net proceeds of the Surinjam held by the late Saojee Rao Nimbalkur, resumed from the 6th May 1846.

2. In reply, I am desired to inform you that His Lordship in Council has resolved to grant from the date of resumption (6th May 1846), to the deceased's adopted son, Mankojee Rao Nimbalkur, a life pension of Rs. 794 per annum, subject to the conditions mentioned in the 3rd and 4th paragraphs of your letter.

3. A copy of my letter of this date to the Collector of Poona is enclosed for your information and guidance.

I have the honour to be, &c.
(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 28th December 1854.

No. 317 OF 1855.

POLITICAL DEPARTMENT.

From Captain T. A. COWPER,
Inam Commissioner, Northern Division,

To the COLLECTOR OF POONA.

Dated Poona, 27th March 1855.

SIR,—In reply to your letter No. 232, of the 13th February last, I have the honour to state that the records therein referred to have not been made over to this department.

2. I beg to inform you that there appear to exist strong grounds, wholly irrespective of the delivery of these records, for suspending the payment of any money whatever on account of the pension to which you refer until Government shall have had an opportunity of considering certain facts connected with it which I am about to lay before them.

I have the honour to be, &c.

(Signed) T. A. COWPER, Captain,
Inam Commissioner.

No. 1789 OF 1855.

POLITICAL DEPARTMENT.

To R. KEAYS, Esq.,
Agent for Sirdars in the Deccan.

SIR,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 202, dated the 28th ultimo, and to inform you that Government has resolved that its authority, contained in my letter No. 5395, dated the 28th December last, for the payment to Mankojee Rao Nimbalkur of a pension of Rs. 794 per annum, shall be considered in abeyance until further orders.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 7th May 1855.

No. 1792 OF 1855.

Forwarded to the Inam Commissioner of the Northern Division, with reference to his letter No. 317, dated the 27th March last, to the address of the Collector of Poona.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 7th May 1855.

No. 462 of 1855.

Revenue Department.

From Captain T. A. Cowper,
Inam Commissioner Northern Division,

To H. Young, Esq.,
Officiating Chief Secretary to Government, Bombay.

Dated Poona, 30th April 1855.

Sir,—I have the honour, as directed in the Revenue Secretary's memorandum No. 368, dated 18th January 1854, to report upon the claim put forward by Mankojee Rao Nimbalkur to succeed, in virtue of his alleged adoption, under the Peshwa's sanction, by the late Saojee Rao Nimbalkur, to the village of Wurgaum, held by Saojee Rao up to his death as an Inam.

2. On the grounds of the aforesaid adoption having taken place under the late Government, with the sanction of the Peshwa, the present claimant, Mankojee Rao, has been granted, as the second generation, a pension equal to half the net proceeds of the Surinjam held by the late Saojee Rao; and under this sanction the payment of arrears amounting to upwards of Rs. 7,000 merely awaits the result of an inquiry as to whether the accounts of the lapsed Surinjam have been given up to the Government or withheld.

3. A careful perusal of the past proceedings in this case, however, renders it so clear to me that a gross fraud has been committed, and that by this means the order for the grant of the aforesaid pension has been obtained, that it appears necessary at once to submit the circumstances for the consideration and orders of Government.

4. On Saojee Rao's death in 1846, the Agent for Sirdars proposed to continue his Surinjam hereditarily, as a grant made prior to A. D. 1751. It was, however, subsequently satisfactorily established by the officer in charge of the Poona Duftur, Mr. Turquand, and by the Inam Commissioner, Mr. Hart, that but a small portion of the Surinjam had been granted at that early date, and that even that small portion had been granted and held, not as a personal, but as a purely military Surinjam for the support of the Peshwa's troops.

5. To the facts briefly stated in the last paragraph, the establishment of which at once destroyed all pretensions to an hereditary title, I shall not have occasion again to advert; but it appears proper to record and solicit attention to them, as showing the case to have been one of error from beginning to end.

6. The final orders of the Honorable Court, not yet carried out, were received in paragraph 31 (below quoted) of their political despatch No. 23, dated 16th August 1854.

"31. We are of opinion with Mr. LeGeyt, the Agent for Sirdars, that the Surinjam properly lapsed on the death of the grantee, Saojee Rao, but that a pension equal to half the net proceeds may be granted to Mankojee (who was recognised as his adopted son by the Peshwa's Government) from the date of resumption."

7. It is now necessary to describe the information upon which the recognition by the Peshwa's Government of the adoption of the present claimant by Saojee Rao Nimbalkur has been held to be proved.

8. On Saojee Rao's death in 1846, the Agent for Sirdars, Mr. Brown, having been desired by Government to report upon the claim of "Mankojee Rao, the deceased's *son*," submitted, with his letter No. 10, of the 11th January 1847, translations of a memorial from Mankojee Rao Nimbalkur, and of a document described as "a Murathee memorandum delivered to me by Saojee Rao Nimbalkur prior to his death." The Agent in the 5th paragraph of his letter informed Government,—

"I consider it my duty to bring to the notice of Government that Mankojee Rao, who represents himself to be the adopted son of the deceased Saojee Rao, is a son of his brother. The detail of this circumstance is fully stated in Mankojee Rao's memorial. This person's name has been erroneously entered in the Surinjam list as the son of Saojee Rao."

9. Both the documents, the translations of which the Agent submitted with the aforesaid letters, are remarkable ones, but as they can be more conveniently noticed by and bye, I pass on to the Government reply, conveyed in the Political Secretary's letter No. 480, dated 5th February 1847, in paragraph 4 of which the Agent was informed,—

"4. I am further directed to request that you will make inquiries into the validity of, and the concurrence of the Peshwa's Government in, the adoption of Mankojee Rao, and favour Government with your opinion, and the grounds for them, upon these points."

10. In the 8th paragraph of his letter No. 305, dated 20th December 1848, the Agent, Mr. Brown, furnished, in the following terms, the information and opinion regarding the alleged adoption which had been required by Government:—

"8. With reference to the last paragraph of your letter of the 5th February 1847, regarding the validity of the adoption of Mankojee Rao, I have the honour to submit the translations of depositions taken before me (No. 7 to No. 15), which in my opinion have established the adoption. With reference to the concurrence of the Peshwa's Government, I beg to call the attention of the Right Honorable the Governor in Council to the deposition of Gunesh Krishna, oorf Raojee Pendsay, marked No. 15, a person who was employed

in the Duftur, with his father, during the Peshwa's reign, and subsequently entertained by the British Government, and is still in the Superintendent's Office. His opinion in regard to the usages and forms of the Peshwa's Government I have every reason to place confidence in, and he has deposed that the termination of the letter, translation of which is annexed, No. 16, addressed to Saojee Bawa Nimbalkur by Sudashew Mankeshwur, acknowledging the receipt of a dress and sugar on the ceremony of the adoption of a son by Saojee Nimbalkur, is to the best of his belief in the handwriting of Sudashew Mankeshwur, the Peshwa's Minister. Mankojee is the son of Gunnojee Nimbalkur, the younger brother of Saojee Rao Nimbalkur, and he has been always recognised as the adopted son, and his name has been recorded in the list of Sirdars as the son of Saojee Nimbalkur; I have, therefore, no reason whatever to doubt the validity of the adoption. Mankojee was the only son of Gunnojee, his mother dying a few days after his birth."

11. The depositions and other documents which accompanied the Agent's letter just referred to, and which Mr. Brown stated—"in my opinion have established the adoption"—are of themselves sufficient, it seems to me, to cast discredit upon the whole case. But there is yet more to be stated with which Government have never been made acquainted, the whole of which, however, will be best discussed after I shall have completed the record of what has already taken place in the Agent's Office.

12. Almost simultaneously with the Agent's report of the 20th December 1848, Government received from Nagho Buherao Bokeel, the hereditary accountant of one of the villages held by the late Saojee Rao, a petition questioning the sufficiency of the inquiry made by the Agent, declaring the documents produced before that officer to have been forged, and making several assertions affecting the character of the alleged adopted son in other respects. This petition was, with the Political Secretary's letter No. 2200, dated the 24th May 1849, forwarded to the Agent, with orders "to ascertain whether it is an authentic document, and if so, institute a searching inquiry into the allegations therein contained."

13. The Acting Agent, Mr. Hunter, on the 19th November following, No. 360, reported as follows:—

"I beg to state that the petitioner died on the 14th March last, but that his cousin, to whom the petition has been shown, recognised the handwriting of the deceased and offered to produce evidence in support of the allegations if four months' time were allowed to him. This time was allowed, and it expired on the 14th instant, when, considering that it would be satisfactory to take further evidence to

the only document in the case on which Mr. Brown rested his decision, I took the depositions of two witnesses, who distinctly deposed to its genuineness. Under these circumstances, I am of opinion that the petition is groundless."

14. Government, in their Chief Secretary's letter No. 5268, of the 4th December 1849, intimated to Mr. Hunter that his report was unsatisfactory, and directed a further and complete inquiry to be made. The Acting Agent was also desired again to call upon the cousin of the deceased petitioner to establish, if he could, the assertions made by the late Nagho Buherao. In paragraph 3 of this letter the Acting Agent was informed,—

"3. The point also mentioned in the 4th paragraph of the representation should, I am directed to observe, be carefully inquired into, since if the circumstance therein deposed to, of Mankojee Rao (the present claimant of this Surinjam) having joined Oomajee's Bund, be true, sufficient reasons will, His Lordship in Council considers, exist for Government at once declining to show him any favour with reference to his present claim."

15. The result of the further inquiry was reported to Government by the Acting Agent, Mr. Keays, in a letter No. 278, dated the 8th June 1850, paragraphs 2, and 5 to 8 of which bear upon the question of the adoption, and are below extracted :—

"2. In reply, I beg to state that Mr. Hunter, the late Acting Agent, intimated through the Sudder Ameen of Baramuttee to Balkrishna Sheoram, the cousin of the writer of the petition, that he was prepared to receive any proof he might have to produce in substantiation of any of the points therein contained, but that person stated that he had no proof whatsoever. He has since appeared before me and confirmed the same statement."

"5. The allegation contained in the 2nd paragraph of the petition is proved to be incorrect, as the genuineness of the letter of Sudashew Mankeshwur, produced by Mankojee, is established by the evidence of three disinterested persons.

"6. The allegation contained in the 3rd paragraph of the petition, that Mankojee Rao submitted a fabricated letter from his father, is frivolous, as the letter in question forms no part of the evidence on which Mankojee Rao's adoption has been established. It may be noticed, however, that neither the Agent for Sirdars in the Deccan nor the Collector of Sholapore (to whom reference has been made) received any intimation to the effect that letters purporting to be from him were not to be considered genuine unless his seal was affixed while in the Agent's Office; there are very many unquestionably from him without any seal.

"7. In answer to the allegation contained in the 4th paragraph of the petition, that Mankojee Rao had joined the gang of Oomajee Naik, I beg to annex copy of a letter from Mr. Courtney, the Collector of Poona, stating that no information on the subject can be traced on his records. Mr. Hunter has already reported that the petitioner died without furnishing proof on this point, and I have been unable to procure any from other sources.

"8. With reference to the last allegation, contained in the 5th paragraph of the petition, I beg to state that the Assistant Agent in charge has taken the depositions of Gopal Shamraj Ajahut Deshmook, Anund Rao Abajee Deshpandey, and Dinkur Rao Nimbalkur: the former state that their fathers were present at the ceremony of adoption, and received dresses on that occasion, and the latter states that he was not intoxicated at the time he gave his deposition before Mr. Brown, and that no unlawful means were resorted to to induce him to depose in the manner in which he has done. Dinkur Rao's father is gone to Benares, and his cousin is dead."

16. Upon the information which I have hereinbefore recorded, the fact of Mankojee Rao having been adopted during, and with the sanction of the Peshwa's Government seems to have been admitted. Some correspondence ensued regarding the provision, if any, which should be made for him in consequence of the death of his alleged adoptive father, Saojee Rao, and it has been finally determined by the Honorable Court in the 31st paragraph of their political despatch No. 23, dated the 16th of August 1854, that—

"The Surinjam properly lapsed on the death of the grantee Saojee Rao, but that a provision equal to half the net proceeds may be granted to Mankojee (who is recognised as his adopted son by the Peshwa's Government) from the date of resumption."

17. Having now recorded all that seems required for the correct appreciation of the facts I am about to submit, I shall endeavour to explain the grounds on which I have described that evidence which, in the Agent Mr. Brown's opinion, "established the adoption," as seeming to me in itself sufficient to cast discredit upon the whole case.

18. The first point which I would notice is that up to the date of Saojee Rao's death, Mankojee had been brought forward and described *as his son*, and entered as such in the Surinjam lists; at a time, too, it must be remembered, when it was not only thoroughly understood by all classes that Surinjams were not continuable to adopted sons, but when a special request that the rule might be altered had been embodied in the letter to Government (No. 225, dated the 29th December 1844) with which Mr. Warden's lists were submitted.

19. But how inquiry on this point—Mankojee's relationship to Saojee Rao—did not suggest itself in the first instance, when the lists of 1844 were prepared, I am unable to understand, for I find the officer (Mr. Warden) who, as Agent, prepared those lists, to have in *the same capacity* reported to the Sudder Adawlut under date the 14th of October 1842, No. 206,—

"I have the honour to state that I have received from the Collector of Sholapore two Murathee memoranda, dated the 30th of August last and 20th ultimo, acquainting me that Saojee Rao Nimbalkur, a Sirdar of the Third Class, cannot, from very old age, conduct the duty personally of his civil court, under the Sunud granted to him on the 20th June 1832; that he has no son to undertake the duty; and recommending that the Sunud in question be cancelled."

And I also find Saojee Rao's Sunud to have been, under instructions conveyed in the Registrar's reply No. 1897, of the 19th November 1842, cancelled accordingly.

20. Mankojee Rao appears to have been for the first time described as Saojee Rao's *adopted* son in the Agent Mr. Brown's letter to Government, No. 10, dated the 11th of January 1847, in paragraph 5 of which he stated,—

"I consider it my duty to bring to the notice of Government that Mankojee Rao, who represents himself to be the adopted son of the deceased Saojee Rao, is a son of his brother; the detail of this circumstance is fully stated in Mankojee Rao's memorial. This person's name has been erroneously entered in the Surinjam list as the son of Saojee Rao."

21. Mankojee Rao, in his memorial referred to by the Agent, described the period at which he had been adopted as "the twelfth day after my birth"; to which was added,—"I was left till I was twelve months with my first father."

22. The same memorial contains the following passage, which it will be hereafter of importance to bear in mind:—

"A memorandum of the Peshwa's sanction of adoption was in my possession, but it was left among my records, which were lodged at Poona with my Karkoon Visajee Punt, who, with the records in question, has been missing, and no trace can be discovered of them."

23. One other fact alleged in the memorial was Mankojee Rao's having accompanied the Peshwa in his flight from Poona, he (Mankojee) being at that time, according to the memorial, "only fourteen or fifteen years of age." Supposing this to be the truth, he must have been adopted in or about the year 1803-04.

24. With the Agent's communication above referred to, a document

was submitted to Government, described by Mr. Brown in his 4th paragraph as a "translation of a Murathee memorandum delivered to me by Saojee Rao Nimbalkur prior to his death," but the said memorandum was not one delivered by Saojee Rao, who had been for many months absent in the Sholapore Collectorate, at the village of Tudowlee, where he died. The memorandum was delivered to the Agent by *Mankojee Rao*, and was signed by Mankojee Rao in behalf of Saojee Rao. It is a very peculiar document, containing from first to last little beyond a series of entreaties that Mankojee should be permitted to succeed to the holdings of Saojee.

25. Government having considered further inquiry requisite regarding "the validity of, and the concurrence of the Peshwa's Government in the adoption of Mankojee Rao," the Agent instituted an inquiry, which resulted in the recognition of the validity of the adoption. This is the inquiry to the irreconcilable discrepancies in which I beg specially to draw attention.

26. *As soon as it became known* that Government had ordered further inquiry, Mankojee, on whose previous representation Government had been informed that no documentary evidence was forthcoming, presented to the Agent a memorandum dated 19th May 1847, in which he stated that on the occasion of his adoption presents had been made by his adoptive father Saojee, through Mulhar Rao Appa Mankeshwur, to Sudashew Mankeshwur, then the Peshwa's Prime Minister, and that Sudashew Mankeshwur had acknowledged the receipt of the present in a letter addressed to Saojee Rao, which he (Mankojee) produced before the Agent.

27. It is remarkable that when addressing the Agent on a previous occasion Mankojee Rao failed to make any allusion whatever to this alleged letter from, and transaction with the Peshwa's Prime Minister, and Government were informed, in the Agent's letter No. 10, of the 11th January 1847, that there was an "absence of documentary proof." This omission could never have arisen from any ignorance of the value of such evidence, and it may be reasonably asked—why was it not at first brought forward, especially when the documents conveying the Peshwa's sanction to the adoption, stated to have been once in existence, were declared to be lost?

28. I must now point out the glaring discrepancies between the statements of the seven witnesses, translations of whose depositions accompanied the Agent's letter to Government, No. 305, of the 20th December 1848, all of whom declared that they were present at the ceremony of adoption, and yet differed most materially in their statements regarding the age of Mankojee when he was adopted. With regard to the period at which the adoption took place, the evidence was nearly as

conflicting. The nature and extent of these discrepancies will be apparent from the following statement:—

Names of Witnesses.	Age of Mankojee when Adopted.	How long before the close of the Peshwa's Rule the Adoption took place.
1. Buheerjee bin Suntajee, Patel	One year.......	Not stated.
2. Suntajee bin Sooltanjee, Patel	Ten years	Eight or ten years.
3. Luximon bin Syajee Patel	Ditto	Not stated.
4. Kanojee bin Janojee Chowgoola	Two or two and a half years	About ten years.
5. Sudoo bin Mankojee Goorow........	Two and a half years.	Not stated.
6. Pandoorung Ramchundra, Koolkurnee	Three or four years..	Four or five years.
7. Huree Mulhar, Koolkurnee	Ditto ditto ..	Five or six years.

29. When it is explained that an adoption such as that which is alleged to have taken place was, under the late Government, an event of the last importance to the parties immediately concerned, and to their dependents, and when it is pointed out that the evidence just referred to is in every case that of such a dependent, the discrepancies in their evidence will be better appreciated; and still more worthless will the whole story be considered when their evidence is contrasted with the previous statement (see paragraphs 21 and 23 of this letter) of Mankojee Rao himself that he was adopted when he was twelve days old, and that his adoption took place fourteen or fifteen years before the close of the Peshwa's rule.

30. I now proceed to notice the document purporting to be a letter from the Peshwa's Minister, Sudashew Mankeshwur, and which appears to have been mainly instrumental in proving to the satisfaction of the Agent, Mr. Brown, that the adoption received the sanction of the Peshwa's Government. The contents of this document seem to me to prove it to be a forgery. Before, however, going further, I must submit the following translation of it, which is that given by the Agent, (to whose letter, No. 305, of the 20th December 1848, it forms an accompaniment,) and is substantially correct:—

"I have the pleasure to acknowledge the receipt of your letter informing me that you had, by permission of His Highness, adopted the son of your younger brother, and sending me dress and sugar in compliment of the adoption.

"In reply, I beg to offer you my congratulation on the occasion, and return you many thanks for the kind compliment of sugar you sent me: there was no necessity, however, in sending me a dress, which I should have returned if I knew the same would not have displeased you.

"I request you will write to me often, and inform me of the state of your health. What more can I request than the continuance of your favour and kindness towards me? Despatched Chundra, 25th Zilhej."

31. It will be observed that the year in which the above document was written is not mentioned in it. This, of course, renders it useless for any purpose of fixing, or endeavouring to fix the exact date of the alleged adoption.

32. The agent, in paragraph 8 of his letter dated the 20th of December 1848, laid great stress upon the evidence of Gunesh Krishna, oorf Raojee Pendsay, describing him as "a person who was employed in the Duftur, with his father, during the Peshwa's reign, and whose opinion in regard to the usages and forms of the Peshwa's Government" he (the Agent) had "every reason to place confidence in; and he has deposed that the termination of the letter, translation of which is annexed, No. 16, addressed to Saojee Bawa Nimbalkur by Sudashew Mankeshwur, acknowledging the receipt of a dress and sugar on the ceremony of the adoption of a son by Saojee Nimbalkur, is to the best of his belief in the handwriting of Sudashew Mankeshwur, the Peshwa's Minister."

33. But on referring to the translation of Raojee Pendsay's deposition which accompanied the Agent's letter, I can find no trace whatever of any assertion that the handwriting in question was to the best of his (Raojee Pendsay's) belief that of Sudashew Mankeshwur. Raojee Pendsay appears most carefully to have avoided saying anything of the kind; what he did say was—the writing "appears like Sudashew Mankeshwur's writing, but I cannot state to a certainty that it is his."

34. Raojee Pendsay might have been naturally expected, from the circumstance of his having been employed from his youth upwards in the Peshwa's Duftur, in which he was one of the hereditary Karkoons, to have had a distinct knowledge of such an adoption (if it really ever took place) as that alleged to have been made by Saojee Rao;—an adoption which, sanctioned by the Government, carried with it succession to the Inam property held by the adoptive father; who being, moreover, then in the possession of a large Surinjam, would have been, according to custom, required to pay a heavy Nuzur to the Government.

35. Raojee Pendsay's knowledge of any adoption made by Saojee Rao during the Peshwa's Government was not, however, tested. He was not asked a single question on the subject, and his deposition was confined to general matters, about which there could be no doubt. I have now remedied this omission, and Raojee Pendsay has stated before me on solemn affirmation that he never heard during the whole of Bajee Rao's reign of any adoption made by Saojee Rao, or of any permission given him to adopt.

36. Another fact to which considerable importance attaches is that Saojee Rao was not only no favourite with the last Peshwa, but had belonged to the party of the Minister, Nana Furnavese, to all whose adherents Bajee Rao's aversion is matter of notoriety. It is equally well known that Bajee Rao looked upon adoptions generally with much disfavour, his own succession to the throne having been contested by an adopted son. These circumstances alone render it extremely improbable that Saojee Rao ever received the Peshwa's sanction to any adoption.

37. The heading of the document purporting to be Sudashew Mankeshwur's letter demands notice. The expression "Bawa" used in addressing Saojee Rao was unusual in letters from the powerful Brahmin Prime Minister of the Peshwa to an ordinary Muratha Sirdar of no note. My own knowledge was sufficient to satisfy me on this point. I have, however, been able to obtain additional information of some value. Raojee Pendsay has stated on solemn affirmation that during the whole of his twenty years' experience in the Peshwa's Duftur under the late Government, he never met with such an expression used under such circumstances. Of the correctness of this assertion generally I have no doubt, and I have been able to test it to some extent by the records made over to the Inam Commissioner three years ago by the family of Sudashew Mankeshwur, among which I have found the copy of a letter to Saojee Rao himself, in which, however, no such expression as "Bawa" is to be found.

38. The so-called letter contains further and stronger evidence of its spurious character in the form of address used in the body of the document. In one part Saojee Rao is addressed as "Toomhee" (तुम्ही), while a few lines further, and twice or thrice afterwards, he is addressed as "Apun" (आपण). That Sudashew Mankeshwur, or any other person in his position, ever addressed Saojee Rao or any one else in this manner (*i. e.* both as "Toomhee" and "Apun") is so utterly improbable that the document might well have been rejected on this ground alone.

39. However, the strongest possible evidence that the document purporting to be a letter from Sudashew Mankeshwur never emanated from him is to be found in the terms of the letter itself, in which Sudashew Mankeshwur is represented as writing,—"There was no necessity, however, in sending me a dress, which I should have returned if I knew the same would not have displeased you." To those acquainted with oriental forms and customs it is not necessary to explain that such a reply as the above is a thing unheard of, and would have been a direct insult to the party sending the present. But in this case it was not only Saojee Rao, but Mankeshwur's own master, the Peshwa,

who would have been thus reflected on. The utter improbability of the whole of the alleged transaction may be well inferred from the replies of Raojee Pendsay, which, with the questions put to him, are below transcribed :—

" *Question.*—When a person, on the occasion of the adoption of a son with the permission of the Peshwa, sent to any one a present of sugar and a dress, accompanied by a letter, was it the custom ever to write in acknowledgment that there had been no occasion for sending the present of the dress ?

" *Answer.*—I never met with, nor heard of such a thing.

" *Question.*—On a person adopting a son with the Peshwa's sanction, and sending on the occasion to the Prime Minister a letter intimating the same, accompanied by sugar and a dress, would the Prime Minister ever, in acknowledging their receipt, have written that there had been no necessity for sending the dress ?

" *Answer.*—No; the Prime Minister would never have written thus."

40. Much more might be adduced, all tending to prove this document a clumsy forgery. With, however, such clear and convincing proof as that described in previous paragraphs (30 to 39) already recorded, it would apparently be superfluous further to discuss this question.

41. The last fact to be noticed in connection with this alleged letter of Sudashew Mankeshwur's is the omission to ascertain in any way whatever from his cousin, Mulhar Rao Bajee (now dead), the correctness or otherwise of the assertion (see paragraph 26) made by Mankojee that the letter was forwarded through him (Mulhar Rao). I can find no explanation regarding this omission, which, as Mulhar Rao Bajee was then alive and on the spot, seems most unaccountable.

42. But still more unaccountable than the foregoing is the fact that Government have up to this day never been made acquainted with Mankojee's statement that the document purporting to be Sudashew Mankeshwur's letter had been forwarded through Mulhar Rao Mankeshwur. Had Government been aware of this, the absence of Mulhar Rao's evidence would have in all probability attracted their attention. With the Agent Mr. Brown's letter No. 305, of the 20th December 1848, a number of depositions were forwarded to Government, but that of Mankojee, containing the aforesaid statement regarding Mulhar Rao Mankeshwur, was neither forwarded nor alluded to.

43. It was my intention to have added to the above the evidence of certain members of the Nimbalkur family, but this I am unable to do, as the first of three persons whom I sent for neglected to comply with the summons, and, before a second intimation could reach him, left for Baroda.

44. The two other persons subsequently sent for were in like manner not to be found, having, it was stated, also proceeded to Baroda, although they must have been at their village not three days previously to my sending for them.

45. Under such circumstances, it is scarcely possible to suppose that these persons have not purposely shunned examination; and that such is the case may be inferred from the significant fact of one of them, an old man of upwards of seventy years of age, who is now said to have undertaken a long journey to Baroda in the midst of the hottest weather, having been eight years ago (in 1847) declared by his son to be quite incapacited by old age from attending to give evidence before the Agent. If Government will refer to the concluding portion of the deposition of Dinkur Rao bin Sidhojee Rao Nimbalkur, a translation of which accompanied the Agent's letter of 20th December 1848, Dinkur Rao will be found to have stated,—"My father is still living, and is about seventy years old, but totally helpless, and will not be able to attend." This same Dinkur Rao was again examined in 1850, in consequence of the further inquiry then instituted regarding the allegations put forward by the Koolkurnee, Nagho Buherao Bokeel, who had informed Government that the alleged adoption was a fictitious one, and that the papers produced in support of it were forgeries. When on this second occasion Dinkur Rao was again examined by the Agent, he stated that his father Sidhojee (the old man, whom he had in 1847 declared to be totally helpless and unable to attend, and who is now said to have gone to Baroda the moment he was required to give evidence before me) had just proceeded to Benares.

46. The facts *now* placed before Government may be thus briefly recapitulated:—

1st.—At an early period of British rule Mankojee was included in the list of the privileged classes as *Saojee's son.*

2nd.—In 1842 the Judges of the Sudder Adawlut cancelled (paragraph 19) the Sunud held by Saojee, on the Agent Mr. Warden's representation that Saojee, *having no son,* had become unable from old age to transact business.

3rd.—In 1844 Mankojee was entered (paragraph 18) in the Surinjam lists prepared by *the same officer,* the Agent Mr. Warden, *as Saojee's son.*

4th.—In 1847, after Saojee's death, Mankojee was for the first time (paragraph 18) brought forward as an adopted son, and on that occasion he (Mankojee) asserted (paragraph 22) that his adoption had been sanctioned by the *Peshwa* in a document which had been lost, and the Agent, Mr. Brown, informed (paragraph 27) Government that no documentary evidence was forthcoming.

5th.—At the same time Mankojee stated (paragraph 21) that his adoption had taken place when he was only a *few days* old, and fourteen or fifteen years (paragraph 23) before the close of the Peshwa's rule.

6th.—Mankojee also at this time gave to the Agent a memorandum signed by him (Mankojee) on behalf of Saojee, (who then was, and for months had been a hundred and fifty miles away, at a village in the Sholapore Collectorate, where he died,) which document was described (paragraph 24) to Government by the Agent as "a memorandum delivered to me by Saojee Rao Nimbalkur prior to his death"; and this was the document almost immediately afterwards described in a petition to Government as a forgery, which it now seems exceedingly probable that it was.

7th.—Government not having been satisfied, and having ordered (paragraph 25) further and careful inquiry, Mankojee *then, for the first time,* informed (paragraph 26) the Agent that he possessed a letter to Saojee Rao from the Peshwa's Prime Minister, Sudashew Mankeshwur, acknowledging the receipt of a present on the occasion of his (Mankojee's) adoption, which letter he stated had been forwarded to his adoptive father, Saojee, through Sudashew Mankeshwur's cousin, Mulhar Rao Bajee.

8th.—This alleged letter from Sudashew Mankeshwur was admitted as a genuine document strongly corroborative of Mankojee's assertion, but *the only individual* who could have given *positive* evidence (Mulhar Rao Bajee) was not (paragraph 41) examined, and Government, moreover, were never (paragraph 42) informed that he had been named by Mankojee as the person through whom the alleged letter was sent.

9th.—The genuineness of the document said to be a letter from Sudashew Mankeshwur was, in the Agent Mr. Brown's opinion, established by the evidence of Raojee Pendsay, an old man who had served in the Peshwa's Duftur during the whole of Bajee Rao's reign; and on the only material point on which he was examined,—the identification of writing said to be Sudashew Mankeshwur's,—he was represented (paragraphs 32 and 33) to Government to have declared that it was so to the best of his belief; whereas he merely stated that *it looked like* Sudashew Mankeshwur's writing, and whereas he was not asked a single question on several important matters of which he might naturally have been supposed to be personally cognisant, and regarding which *he has now afforded* (paragraphs 34 to 39) information, the whole of which tends to prove the said document to be a forgery.

10th.—That the document never was written by Sudashew Man-

keshwur seems, however, apart entirely from any knowledge of Raojee Pendsay's, to be completely proven (paragraphs 34 and 36 to 40) by its contents, by the form of address used, and by several other circumstances less glaring, but all tending to prove it to be a forgery.

11*th*.—The production of the aforesaid document was supported by the evidence of several persons, who all stated that they had been present at the ceremony of Mankojee's adoption, but whose statements irreconcilably differed each from the other (paragraphs 28 and 29), and the whole of them from that of Mankojee himself (paragraph 29), on two most material points,—the age of Mankojee when adopted, and the period at which the adoption took place.

Finally.—Saojee Rao Nimbalkur, said to have been permitted by the Peshwa to adopt a son, was about one of the last persons to whom such sanction would have been accorded by Bajee Rao, whose whole policy was to deprive the Muratha Sirdars of their possessions and power. Saojee Rao was one of these Sirdars, had been deprived of the command of troops, had been an adherent of Nana Furnavese (paragraphs 34 and 36), and had lost by formal resumptions the greater portion of what he had once held. Yet these are the circumstances under which the Peshwa is said to have allowed an adoption, to prove which evidence has been adduced, apparently sufficient in itself to show the utter falsehood of an assertion, the *primâ facie* improbability of which is so great that to substantiate its correctness would require proof unusually clear and convincing.

47. Should Government agree with me in considering the facts hereinbefore recorded sufficiently to prove that the alleged adoption by Saojee Rao never received the Peshwa's sanction, and that the whole of the evidence which has been brought forward to prove that it was thus sanctioned is a tissue of fraud and falsehood, it will remain for consideration whether any measures should be taken to punish the parties concerned in the transaction. It seems doubtful whether a prosecution either for conspiracy or forgery would result in a conviction, for most of the statements made are vague and very little to the point, and the fraud seems to me to have hitherto been a successful one more owing to the insufficiency of the inquiry made than to anything else.

48. But though doubtful on the above point, I am very strongly of opinion that should Government be satisfied that deception has been practised, Mankojee should not be allowed to remain a member of the privileged classes.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

No. 2993 of 1855.

Political Department.

To Captain T. A. Cowper,

Inam Commissioner Northern Division.

Sir,—I have laid before the Right Honorable the Governor in Council your letter No. 462, dated the 30th April last, reporting on the fraud practised by Mankojee Rao Nimbalkur upon Mr. Brown, the late Agent for Sirdars.

2. In reply, I am desired to observe that, in the opinion of Government, you have produced the most clear and convincing proofs that the adoption of Mankojee Rao by the late Saojee Rao Nimbalkur never received the sanction of the Peshwa, and that, therefore, he possesses no right to the pension which, under the supposition that his adoption had been formally recognised by that prince, has lately been granted to him.

3. The Right Honorable the Governor in Council has, accordingly, resolved that the payment of this pension, which was stopped under date the 7th May last, shall continue in abeyance, pending a reference to the Honorable the Court of Directors, to whom it will be suggested that, under the information now furnished by you, their orders for the grant of this stipend be recalled.

4. A recommendation will at the same time be submitted to the Honorable Court that the name of Mankojee Rao be expunged from the list of Sirdars, the gross fraud which he has practised upon Government in this case proving him to be utterly unworthy to be continued to be enrolled amongst the privileged persons of the Deccan and Southern Muratha Country.

5. Finally, I am desired to convey to you the commendation of Government for the ability with which you have, with considerable labour, traced out the intricate facts connected with this case.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 25th July 1855.

No. 936 of 1855.

POLITICAL DEPARTMENT.

From Captain T. A. COWPER,
Inam Commissioner Northern Division,

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

Dated Poona, 31*st August* 1855.

SIR,—Since the receipt of your letter No. 2993, dated the 25th July last, circumstances connected with the case therein disposed of have come to my knowledge with which it appears proper that I should acquaint the Government.

2. On the 17th July last, in consequence of information received here, I addressed the following letter (No. 776) to the Political Agent in the Southern Muratha Country:—

"May I request the favour of your informing me whether inquiries recently made have, as I have been informed they have, led to the discovery of entries in the accounts of the late Chief of Moodhole of sums of money paid to Narapa Naik, a Soucar of Poona, on account of business connected with the Nimbalkur family.

"2. Should such entries exist, I shall be obliged by your furnishing me with authenticated copies of them, and by your letting me know the result of any inquiry which you may have instituted."

3. The reply of the Political Agent, No. 402, dated the 6th instant, is below transcribed:—

"In reply to your letter No. 776, dated 17th ultimo, I have the honour to inform you that no entries in the accounts of the late Chief of Moodhole of sums paid to Narapa Kaik have been discovered, but there are registries of two letters from the late Chief to Narapa Naik, of which I send you copies.

"2. No inquiry has been instituted on this subject in this department."

4. The first of the documents, copies of which accompanied the Political Agent's reply, is the registry of a letter dated the 4th November 1845, (5th Kartik Shood, Shuké 1767,) to the address of Narapa Naik Dharwarkur, a well known Poona Banker (Soucar), to the following effect:—

"I wish you to disburse for me at Poona, on account of a certain business, the following sums:—

2,000 to Bapoojee Bullal Seerwulkur, in such sums as circumstances may require.

500 to Tumas Khan Karwan, through Bapoojee Bullal Pendsay.

2,500

"In all, you should pay Rs. 2,500, which I will either repay to your order at Bagulkote, or send you a hoondee for the amount payable at Poona, if you prefer it. Any delay in paying the money may ruin the business, and this it is as well to note, though I feel sure that delay on your part will not occur."

5. The second document is the registry of the following letter, dated the 28th August, to the address of the aforesaid Narapa Naik Dharwarkur. The year is not specified in the body of the registry, but is shown by the general heading to be A. D. 1846 :—

"It has been agreed upon to pay the sum of Rs. 5,000 upon receiving orders for the release from attachment of the villages held by the late Saojee Rajeh Nimbalkur. Bapoojee Bullal has already probably explained this, and he will now again do so. I have, therefore, sent from hence by Bapoojee Bullal Seerwulkur an order for Rs. 4,000, which you must receive, and assure the proper persons that you will give them Rs. 5,000 on receiving orders for continuing to Mankojee Rao everything previously held by Saojee Rajeh. When I hear of your having received the aforesaid orders, I will send the Rs. 1,000 required to complete the amount. As Nimbalkur is a relative of mine, you should exert yourself in this matter, and, having obtained the orders of release, should pay the money in the proper quarters. Pray ensure the commencement of the business at once by freely pledging yourself to the above effect. The rest Bapoojee Bullal will verbally communicate to you. Bapoojee Bullal will have explained to you that a report will have to be sent to Bombay. Pray get your friends to expedite its transmission, and do not let any delay take place."

6. I have ascertained from the books of the banker to whom the foregoing letters were addressed, that subsequently to the date of them nearly Rs. 6,000 were paid to Bapoojee Bullal Pendsay, the Agent of Mankojee Nimbalkur, he (Bapoojee Bullal) drawing upon the Moodhole Chief for the amount, which he received in various sums during a period of several years.

7. Wassoodeo Naik, who only became the head of the firm three or four years ago, on the death of his father Narapa Naik, has declared his inability to find the original letters, translations of the registries of which are contained in paragraphs 4 and 5, although a careful search for them is said to have been made. That they were received, however, appears to me sufficiently and clearly established by the facts described in the last paragraph : but besides these, other evidence of a most direct and positive nature is forthcoming ; for the payment of Rs. 500 to Tumas Khan Karwan, directed to be made in the Moodhole Chief's letter of the 4th November 1845, is duly entered and specifically described in

Narapa Naik's day-book of the 10th of that month; indeed, the letter is distinctly quoted as the authority for the payment.

8. Such are the facts which I have now to submit for consideration; and they afford, I think, startling evidence not merely of the fraud already exposed, for that has been established to the satisfaction of Government, but of the deliberation and wholesale conspiracy which stamp the proceedings from their very commencement.

9. I have already placed before Government, in my reports Nos. 929 and 935, dated the 29th and 30th August 1855 respectively, two other cases which in several of their features are scarcely less objectionable than this one. The difficulty of obtaining specific and perfectly correct information on these occasions is greatly to be regretted. Generally speaking, there is a combination to keep the affair, at all risks and at any price, from the knowledge of the superior officers of Government; and this alone indicates, I think, a state of things which must ever be pregnant with serious mischief.

10. But although, from the causes just described, it is so seldom possible to obtain complete statements susceptible of positive proof, and to such statements my communications to Government must for the most part necessarily be confined, much is constantly coming to my knowledge, of the truth of which I can entertain no moral doubt whatsoever, corroborated as it generally is by that presumptive evidence which all my own experience has shown me to be as much as can be expected in such cases, and, indeed, all that in many of them it is possible to obtain.

11. The opinion, therefore, on this subject, which with deference I submit to Government, is one grounded not on a few isolated cases, but on the concurrent testimony afforded by many hundreds of them, the investigation of which has occupied me during the last four years, and has forced upon me a conviction of the widely spread existence of an under-current of intrigue, the effects of which, certainly not the less injurious because at first sight scarcely perceptible, require to be carefully watched and decisively counteracted,—a necessity which will, I apprehend, be hereafter yet more sensibly felt in connection with the many great changes in progress, the most important of all of which,—education,—must, *cæteris paribus*, be expected, it seems to me, not to remove, but in all probability to render more formidable the evil.

I have the honour to be, &c.
(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

No. 4057 of 1855.

Political Department.

To Captain T. A. Cowper,
Inam Commissioner Northern Division, Poona.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 936, dated the 31st ultimo, detailing further circumstances which you have discovered, in connection with the fraud practised by Mankojee Rao Nimbalkur upon Mr. Brown, the late Agent for Sirdars, and, in reply, to enclose for your information copy of a Resolution passed by Government on your letter.

I have the honour to be, &c.
(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 22*nd September* 1855.

Resolution passed by Government.

This letter affords additional proof, of which ample evidence was previously before Government, that a gross fraud has been attempted by Mankojee Rao Nimbalkur, but which, through the commendable exertions of Captain Cowper, has been frustrated.

Resolved,—That Mankojee Rao Nimbalkur, by his disgraceful conduct on this occasion, has proved himself unworthy any longer to be retained amongst the privileged classes, and that in anticipation of the Honorable the Court of Directors sanctioning the recommendation which, in conformity with the recent resolution of Government, is about to be made to that authority, for the erasure of his name from the Sirdar lists, orders be at once issued for his being suspended from the privileged classes, pending the Court's instructions. By this means, this unworthy individual will be deprived of the usual Dussera dress and other honours which otherwise he would, as a Sirdar, receive at the approaching Dussera festival, on the 20th proximo.

The late Chief of Moodhole, who appears to have been a principal in this attempted fraud, having intermediately died, it is unnecessary to take any notice of his misconduct.

Extract Paragraphs 6 to 8 from a Despatch from the Honorable the Court of Directors, dated the 19th March, No. 19 of 1856.

6. A pension of Rs. 794 per annum, equivalent to half the net proceeds of the lapsed Surinjam of the late Saojee Rao Nimbalkur, had been granted to his nephew Mankojee, on the ground of his having been adopted by the deceased as his son, with the sanction of the Peshwa. It has now been clearly shown by Captain Cowper that the evidence by which the adoption, and the confirmation of it by the Peshwa, were supposed to have been established, was false and fraudulent. Of all the instances which have yet come before us of Mr. Brown's negligence and inaccuracy, his investigation of this case is the most discreditable. He is shown to have omitted to take evidence the most obvious and the most easily accessible; to have in one instance kept back from Government a document which would have directed their attention to such evidence; and to have misstated the testimony of the witness whose statement was the only proof of the authenticity of the principal document in the case, representing him to have said that the termination of that document "is to the best of his belief in the handwriting of Sudashew Mankeshwur, the Peshwa's Minister," when in the translation of his deposition, furnished by Mr. Brown himself, he is only made to say that the writing "appears like Sudashew Mankeshwur's writing, but I cannot state to a certainty that it is his." Captain Cowper has clearly proved that the document cannot have been written by Sudashew Mankeshwur, or by his orders, and all the circumstances connected with the case show it to be a forgery. Nor was Mr. Warden's conduct much less careless, for in 1842 he represented that Saojee had no son, and in 1844 he entered Mankojee in the lists as Saojee's son.

7. We authorise you, as you propose, to cancel the grant of the pension (of which, fortunately, no payments had been made), and to strike out the name of Mankojee from the list of privileged Sirdars.

8. Subsequent information communicated to Captain Cowper by the Political Agent in the Southern Muratha Country, from the Moodhole accounts, shows that the late Chief of Moodhole, who was of the Nimbalkur family, disbursed a sum of nearly Rs. 6,000 through a banker at Poona to obtain the recognition of Mankojee as successor to Saojee Rao Nimbalkur. In what way this money was expended does not appear, but it is to be feared that a part of it reached some servant or servants of the British Government. We entirely concur in the commendation you have bestowed on Captain Cowper for the ability and zeal with which he traced out the very intricate facts of this case, and exposed the gross and inexcusable oversights of Mr. Warden and Mr. Brown.

APPENDIX U.

No. 580 of 1855.

Political Department.

From Captain T. A. Cowper,
Inam Commissioner Northern Division,
To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Poona, 31*st May* 1855.

Sir,—In connection with my report No. 462, dated the 30th ultimo, the transfer of which to the Political Department for disposal has been intimated in the Resolution No. 2206, passed in the Revenue Department on the 25th instant, I have the honour to state that the Surinjam entered in the revised lists in the name of Ramchunder Rao Nimbalkur, as No. 23 of Class II., appears to have been originally continued, and to be now held through gross fraud.

2. This Surinjam was entered in Mr. Elphinstone's lists in the name of Gumajee Nimbalkur, who was supposed to have held it at the breaking out of the war with the Peshwa.

3. Gumajee died one or two years after the conquest of the country, and the Surinjam is entered, in the register submitted by Mr. Chaplin to Government on the 28th October 1822, as having been actually restored to Gumajee's *son* Ramchunder.

4. During the several inquiries regarding the holdings of this family which have from time to time been made, and latterly when the revised lists were framed, the said Ramchunder has incorrectly been described in communications from nearly every member of the several branches of the family, to the Collectors and to the Agent for Sirdars, as the son of Gumajee.

5. It now, however, turns out that Ramchunder is the son, *not* of Gumajee, but of Gumajee's brother, Sidhojee.

6. In a statement lately recorded before me of the claim of this family to hold in Inam the village of Wurgaum, in the Poona Collectorate, Ramchunder is described as the *son* of Sidhojee, *adopted* by Gumajee.

7. Every effort was made by the family to avoid recording their claims to the village of Wurgaum, although half of it having been under attachment since and consequent on the death of Saojee Rao Nimbalkur some years ago, they would, had there been nothing to conceal, have been naturally anxious to produce all the evidence in their possession, and thus to obtain a speedy

decision. Instead of this, however, they evaded altogether the call made upon them, until, under the provisions of Act XI. of 1852, I required the Collector to attach the other half of the village, pending their appearance.

8. When they did at length record their claims, the alleged adoption of Ramchunder by Gumajee did not attract my attention, as I was not then aware of the circumstances connected with the Surinjam held by Ramchunder. Indeed, I was ignorant of them as late as the date of my report, No. 462, on the alleged adoption by the late Saojee Rao, and it is only very lately that further inquiries which I have been making in this latter case have led to the discovery of the circumstances now submitted for the consideration and orders of Government.

9. There is reason to suppose that Ramchunder was never even adopted by Gumajee. The case as it now has been stated to me stands thus: Gumajee came forward at the introduction of the British rule and represented himself as having held up to the war the Surinjam which was then entered in his name in Mr. Elphinstone's lists; but it is doubtful whether it was thus held, though I need not attempt to discuss this question, as it cannot affect the circumstances under which the family afterwards got possession of the Surinjam. Before the completion of Mr. Elphinstone's arrangements, however, Gumajee died in Poona very suddenly, of cholera, *leaving no male issue;* and it was then that, to prevent the lapse of the Surinjam, Ramchunder was falsely described to Mr. Chaplin as Gumajee's son, and that the Surinjam was restored to him *as such.*

10. Under the circumstances described in paragraphs 43 to 45 of my report No. 462, of the 30th ultimo, it seems more than probable that every effort will be made to evade further inquiry, and that the parties whose evidence is required will continue purposely to absent themselves. I can only, therefore, recommend that the Surinjam should be at once attached, and that I should be authorised to intimate to the family that, in the event of their not appearing before me within two months, or within such other period as Government may deem proper to fix, that attachment will become a final resumption.

11. It is proper that I should state, with reference to my former report, No. 462, of the 30th ultimo, that the further inquiries I have made subsequently to its submittal have satisfied me that there has been conspiracy and fraud of the grossest description, though I greatly fear that it will not be in my power to obtain legal proof. Should it turn out otherwise, I shall at once suggest such further measures as may then seem to be called for; but Government will, I apprehend, agree with me in considering an unsuccessful prosecution in this and in similar cases calculated to do much more mischief than no criminal prosecution at all.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

No. 2864 of 1855.

POLITICAL DEPARTMENT.

To Captain T. A. Cowper,
Inam Commissioner Northern Division.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 580, dated the 31st May last, reporting that the Surinjam entered in the revised lists of 1847 as No. 23 of Class II., in the name of Ramchunder Rao Nimbalkur, is apparently held by fraud.

2. In reply, I am desired to inform you that, under this report, the Right Honorable the Governor in Council has resolved that the Surinjam in question shall be placed under attachment, pending an inquiry into the circumstances stated by you, and that orders have been issued to the Collector of Poona to give effect to this resolution.

3. The Right Honorable the Governor in Council requests that you will warn Ramchunder Rao Nimbalkur that if he fail to attend before you personally, or by an authorised agent, within the period of three months from his receipt of such warning, with any proofs he may possess in support of his right to this Surinjam, it will be resumed by Government.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 13th July 1855.

No. 1047 of 1855.

POLITICAL DEPARTMENT.

From Captain T. A. Cowper,
Inam Commissioner Northern Division,
To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Poona, 2nd October 1855.

Sir,—The instructions received in paragraph 3 of your letter No. 2864, of the 13th July last, having been communicated to Ramchunder Rao Nimbalkur on the 27th of the same month, he has applied for an extension of one month, to enable him to reach Poona from Baroda, where he now is.

2. Should no objections of which I am unaware occur to Government, I would request permission to inform him that his request has been granted, and that he will be expected to record his claims by the 27th November next.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

From Captain T. A. COWPER, *Inam Commissioner Northern Division,* No. 1047, *of the 2nd October* 1855.

Recommending for sanction an application from Ramchunder Rao Nimbalkur to be allowed an extension of one month of the period within which he has been required to record his claim to the Surinjam entered in the revised lists as No. 23 of Class II.

No. 4268 OF 1855.

POLITICAL DEPARTMENT.

From H. L. ANDERSON, Esq.,
Secretary to Government, Bombay,

To Captain T. A. COWPER,
Inam Commissioner Northern Division.

Dated 11th October 1855.

SIR,—In reply to your letter No. 1047, dated the 2nd instant, I am directed to inform you that the Right Honorable the Governor in Council has no objection to Ram Rao Nimbalkur being allowed an extension by one month of the time within which he is required to record his claim to the Surinjam entered in the revised lists as No. 23 of Class II.

I have the honour to be, &c.
(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 11th October 1855.

No. 1313 OF 1855.

POLITICAL DEPARTMENT.

From Captain T. A. COWPER,
Inam Commissioner Northern Division,

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

Dated Poona, 6th December 1855.

SIR,—In my letter No. 580, of the 31st May last, I submitted for the consideration of Government circumstances showing the Surinjam entered in the revised lists in the name of Ramchunder Rao Nimbalkur, as No. 23 of Class II., in all probability to have been continued at the introduction of the British rule, and to be still held through gross fraud.

2. In paragraph 10 of the same report I explained my reasons for believing that every effort would be made to evade further inquiry, and that the evidence required would be purposely withheld. I, therefore, recommended the attachment of the Surinjam, and that the holder should be warned, that in the event of his not appearing before me within a specified period, it would be finally resumed.

3. In your letter No. 2864, of the 13th July following, I was informed that Government authorised the above suggestions being acted upon, the period allowed being fixed at three months.

4. In my letter No. 1047, of the 2nd October following, I submitted for the orders of Government an application from the holder of the Surinjam for an extension of one month, to enable him to reach Poona from Baroda, where he then was.

5. Government, in your letter No. 4268, of the 11th idem, allowed the extension required.

6. The period of four months thus allowed expired on the 27th ultimo, on which day Ramchunder Rao Nimbalkur's authorised agent, Rughoonath Huree Chandorekur, presented himself before me, but intimated his inability to furnish the information required, owing to the absence of documents said to be at a village some distance from Poona, and to obtain which he asked for a further postponement of three days. This I granted, informing him, however, that his being even at that late date unprepared appeared to me most unsatisfactory.

7. The agent, at the expiration of the three days allowed, instead of appearing, as he had engaged to do, sent a letter stating his inability to attend *at all,* owing to his employment in the Collector's Office, and requesting the further postponement of the inquiry until he should write to Ramchunder Rao Nimbalkur at Baroda, and obtain from him authority for some other person to act on his behalf.

8. The evasion and falsehood of the whole of this proceeding are sufficiently obvious; but I must add that Ramchunder Rao, when asking for the extension of one month applied for in my letter referred to in paragraph 4, did so with the expressly stated object of being able himself to travel from Baroda to Poona without the inconvenience attending a journey during the rainy season. This there now seems every reason for believing to have been a statement intended merely to deceive.

9. This is one of the innumerable cases in which falsehoods of every description are put forth to retard and prevent that inquiry by this Commission, which the holders of alienated revenue improperly or fraudulently obtained well know will result in detection and exposure. This delay is in itself no slight evil; but it is harmless compared to the use which is almost invariably made of it to tempt, and of course often successfully, any and every subordinate of the department to betray their trust, and frequently even to do that which, detected, would ensure their criminal prosecution.

10. Under all the circumstances now submitted, I can have no hesitation whatever in strongly recommending Government to declare this Surinjam finally resumed.

11. Should Government concur in this recommendation, the case might, I think, with great advantage be made generally known, for the radical evil to which I have just referred is certainly not confined to any one branch of the public service.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

From Captain T. A. Cowper, *Inam Commissioner Northern Division, No.* 1313, *of the* 6*th December* 1855.

Submitting for the consideration of Government circumstances which appear to render necessary the resumption of the Surinjam entered in the revised lists, as No. 23 of Class II., in the name of Ramchunder Rao Nimbalkur.

No. 295 of 1856.

Political Department.

From H. L. Anderson, Esq.,
Secretary to Government,

To Captain T. A. Cowper,
Inam Commissioner Northern Division.

Dated 30*th January* 1856.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 1313, dated the 6th ultimo, relative to the Surinjam entered in the revised lists, as No. 23 of Class II., in the name of Ramchunder Rao Nimbalkur.

2. In reply, I am instructed to state that His Lordship in Council entirely concurs in the justice of the observations submitted by you, and considers that no further delay in this case should be permitted. Every consideration has been exhibited towards the claimant, and every subterfuge by which a decision would be delayed has been attempted by him.

3. The Right Honorable the Governor in Council has, accordingly, resolved finally to resume the Surinjam of Ramchunder Rao Nimbalkur, and, in

pursuance of this resolution, the necessary instructions have this day been issued to the Collector of Poona.

4. Lastly, I am desired to request that, in conformity with your suggestion, you will be good enough to make known as extensively as possible the grounds on which Government has been induced to come to the above decision, with the view of preventing similar conduct on the part of other parties.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 30*th January* 1856.

APPENDIX V.

No. 147 of 1854.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Deoghur, Poona Districts, 18th March 1854.

Sir,—I have the honour, under the instructions noted in the margin, to submit a report upon the claim preferred by Mahomed Essub Khan wulud Mahomed Abdool Kadur Khan, to the sum of Rs. 5,806-8-6, deducted from arrears due to him on account of a pension granted on the resumption of his late father's Surinjam.

Government Order in the Political Department, No. 3452, of the 5th August 1853, and accompaniments, received with the Inam Commissioner's letter No. 2358, of the 11th idem, and herewith returned.

2. The claimant also requests that the village (Maloonjeh, in the Newasseh Talooka of the Ahmednuggur Collectorate) which his father is supposed to have unauthorisedly held for thirteen years, from 1819 to 1831,* and the revenue of which during the period of such supposed unauthorised holding has, consequently, now been deducted from the pension granted to the son, may be considered as one properly held in Surinjam, and may be taken into the calculation according to which his (claimant's) pension, amounting to half the net proceeds of the lapsed Surinjam, is by the Surinjam Rules promulgated in the Honorable Court's despatch No. 17, of the 26th October 1842, payable.

3. The village of Maloonjeh was granted to Mahomed Abdool Kadur on the authority of the following letter to the Deccan Commissioner, Mr. Chaplin, from Mr. Elphinstone, then Governor of Bombay. The letter is not dated, but is in Mr. Elphinstone's own handwriting:—

"Kadur Saheb (the Moonshee's son) insists on a letter. He is a good *fellow*,† and his father, who is less *so*,† was useful during our

* Paragraph 3 of Agent's letter No. 506, of the 6th November 1850, to the Collector of Ahmednuggur.

† The letters in *Italics* are destroyed in the original.

troubles before the war. They want a village, which they say is worth some small sum. I would give it if it were no great sacrifice, but not if it were otherwise;—I should call Rs. 1,200 a year a great sacrifice."

4. On the back of this letter there is a remark, in Mr. Chaplin's handwriting I believe,—"To be kept as a memorandum of the reason of the grant,"—and at the top of the sheet, on the face of the letter, the words, "Maloonjeh, Purguna Newasseh," are written, also, I believe, in Mr. Chaplin's handwriting.

5. Mr. Chaplin's instructions were conveyed to the Collector of Ahmednuggur in a letter dated the 24th November 1819, below transcribed, the original being on the Collector's records:—

"I have the honour to request that you will give over to Kadur Saheb, the son of Mahomed Huneef, the village of Maloonjeh, in the Purguna of Newasseh, provided the value of it is not worth more than Rs. 600."

6. The issue of the order quoted in the last paragraph was recorded on the 4th December following, in a diary (which is now forthcoming) kept in the Native language by the Commissioner's establishment.

7. Nearly two years after this, Government determined to grant to Mahomed Abdool Kadur a Jagheer of the annual value of Rs. 3,000, and to his father Mahomed Huneef one of the annual value of Rs. 7,000, the order to make the grant being issued to the Deccan Commissioner, Mr. Chaplin, in the Political Secretary's letter No. 1425, of the 23rd October 1821, below transcribed:—

"Mahomed Huneef, the Moonshee of the Residency at Poona, having been deprived of the Jagheer assigned to him in the Nizam's territory by a late reduction in that prince's expenses, the Honorable the Governor in Council has been pleased to grant him a Jagheer yielding Rs. 10,000 per annum, viz. Rs. 7,000 per annum for himself, and Rs. 3,000 for his son, Abdool Kadur Khan.

"2. You will be pleased to make the grant accordingly, to have effect from the date when he lost his Jagheer in the Nizam's territory.

"3. The rapid increase of the fund intended to be appropriated to rewards for meritorious Native servants, as exhibited in the statement accompanying your letter of the 20th of last month, renders such a degree of liberality quite disproportionate to the object: the amount is, therefore, to be carried to the account of Government, this Jagheer and all similar grants being chargeable on the revenue of the Deccan."

8. The following extract from a Minute (without date) by the then Governor, Mr. Elphinstone, concurred in by the Members of his Council, explains the grounds upon which the grants to Mahomed Huneef and to his son were made:—

"While settling the remuneration to our adherents in the Deccan, I purposely omitted Mahomed Huneef, the Moonshee of the Residency at Poona. This person had been of great use, and had suffered considerable losses, especially by the destruction of his property, and I believe his house at Poona, but he possessed an ample Jagheer, and the command of a body of horse in the Nizam's service, obtained principally by the recommendation of Sir Barry Close; and I obtained by the interposition of Mr. Russell that the Peshwa's and Holkar's possessions within the limits of his Jagheer should likewise be made over to him;—he therefore appeared to me to be most liberally provided for. But in the course of a late reduction of expenses in the Nizam's country, he has been deprived of the whole of his possessions, Mr. Metcalfe very truly remarking that the British Government ought to reward the claims of its own dependents, and not make them a charge on the Nizam.

"It is entirely out of the question to place Mahomed Huneef in anything like the situation from which he has thus fallen; indeed, if his allowance were to be fixed on the same scale with other dependents of our Government, he could not claim nearly so great a reward as Ballajee Punt Nuthoo (the highest of our immediate adherents). It is, however, necessary to have some regard to his habits of life, and in that view I cannot propose less than Rs. 10,000 a year for him, or rather Rs. 7,000 for himself, and Rs. 3,000 for his son, Abdool Kadur Khan. To meet this charge, which ought to have been included in the original burdens on the conquered territories, there is a fund formed by Jagheers which have fallen in to Government, and which I proposed in my report on the Deccan should be entirely appropriated to rewards for meritorious Native servants. The rapid increase of that fund, amounting already to near Rs. 70,000 a year, renders such a degree of liberality quite disproportionate, and the bulk may be carried to the account of Government, but this sum should in the first case be charged on that fund."

9. The grant made to Mahomed Abdool Kadur consisted of the undermentioned villages in the Ahmednuggur Collectorate, a Sunud (dated the 10th June 1822) for which was granted, and a copy forwarded to the Collector of Ahmednuggur with the Commissioner Mr. Chaplin's letter of the 14th July 1822. The grant made to Mahomed Huneef was recorded in the same Sunud.

In the Newasseh Talooka,— Valued at

Moujé Naigaum	Rs.	1,004	13	9
Ditto Rampoor		517	12	0
• Ditto Malowdee		743	6	3
Ditto Sungum		346	14	0
Ditto Jafferabad		387	2	0
Total....	Rs.	3,000	0	0

10. It seems clear that when issuing this Sunud the Commissioner, Mr. Chaplin, must have overlooked the previous grant of Maloonjeh, which ought, evidently, either to have formed a portion of the Jagheer granted by Government, or to have been resumed. It appears, however, to have remained in Mahomed Abdool Kadur's possession; but there is nothing whatever to show that it so remained unauthorisedly or through any misrepresentation on his part;—the retention was owing, it appears, solely to the acts of the servants of Government.

11. Mahomed Abdool Kadur is shown in the Surinjam lists revised by Mr. Brown (No. 5 of Class IV. column 20) to have died on the 30th September 1831, when the Surinjam granted to him appears, together with the village of Maloonjeh, to have been resumed.

12. The Surinjam was, consequently, not entered in the lists prepared in 1834 by the Deputy Agent for Sirdars, Mr. Warden; on the revision of those lists in the same year by the Agent, Mr. Marriott; or in the lists framed by the Agent, Mr. Mills, in 1840.

13. In the lists submitted to Government on the 29th December 1844, by the Agent for Sirdars, Mr. Warden, this Surinjam was entered, as shown below, as No. 4 in Class IV. of Surinjams "resumed in conformity to the orders of the Court of Directors, the heirs to the holders of which are entitled to pensions equal to half the net proceeds" :—

Number.	Name of the Original Grantee.	Name of the Present Claimant.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village. Rs.	a.	p.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Claimant.	Annual Private Income of the Incumbent.	The Names and Ages of the Incumbent's Legitimate Male Issue.	Remarks.
					Rs.	a.	p.	A. D.		Rs. a. p.		
4	Mahomed Abdool Kadur.	Mahomed Essub, and Goolam Hoossein wulud Abdool Kadur.	Ahmednuggur.	Maloonjeh..	1,381	3	9	1822	20 years.	500 0 0	None.	
				Naigaum ..	3,101	6	3					
				Rampoor ..	1,102	6	0	1822	18 do.	....	Ditto.	
				Sungum ..	690	1	3					
				Malowdee..	2,206	7	4					
				Jafferabad .	1,429	9	3					
				Total..	9,911	1	10					

14. In this list the village of Maloonjeh was, it will be observed, entered (columns 6 and 7 of extracts contained in the last paragraph) as one of those composing the Surinjam granted to Mahomed Abdool Kadur in A. D. 1822, whereas it (Maloonjeh) had been granted in 1819 (see paragraph 5 of this letter) on no specific tenure, and was not included at all in the Sunud for the Surinjam granted in 1822: had that Sunud been looked at when the lists of 1844 were framed, the error regarding Maloonjeh must have at once become apparent.

15. On the revision of Mr. Warden's lists by his successor, Mr. Brown, this Surinjam was entered as No. 5 of Class IV., as follows.

Number.	Name of Original Grantee.	Name of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of the last Incumbent.	Name of the Present Claimant.	Number in the List of A. D. 1834.	Soobha in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Claimant.	Annual Private Income of the Claimant.	The Names and Ages of the Claimant's Legitimate Male Issue.	The Date of the Resumption of the Surinjam.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
								Rs. a. p.	A. D.		Rs. a. p.		
5	Mahomed Abdool Kadur.	Mahomed Abdool Kadur.	Mahomed Abdool Kadur.	Mahomed Essub, and Goolam Hoossein wulud Abdool Kadur.	..	Ahmednuggur.	Naigaum .. Rampoor .. Sungum .. Malowdee . Jafferabad . Total...	3,101 6 3 1,102 6 0 690 1 3 2,206 7 4 1,429 9 3 8,529 14 1	1822	20 years 18 years	500 0 0	None. None.	6th November 1831.

The Amount of Pension due to Claimant, at the rate of a moiety of the net Proceeds of the Surinjam.	The Amount of Arrears due to Claimant, if a Pension is granted.	Whether the present Claimant is the direct Descendant of the last Incumbent.	By how many Generations the Surinjam has been enjoyed since the Conquest.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
15	16	17	18	19	20
Rs. a. p.	Rs. a. p.				
1,495 0 0	19,135 0 0	Sons of the last incumbent.	By one generation.	Mahomed Huneef, the Moonshee of the Residency at Poona, having been deprived of the Jagheer assigned to him in the Nizam's territory by a late reduction in that prince's expenses, the Honorable the Governor in Council of Bombay was pleased to grant him a Jagheer yielding Rupees 10,000 per annum, viz. Rupees 7,000 per annum for himself, and Rs. 3,000 for his son Abdool Kadur Khan. (Vide Mr. Chief Secretary Warden's letter to Mr. Chaplin, Commissioner in the Deccan, dated 23rd Oct. 1821.)	Mahomed Huneef served as a Moonshee in the Poona Residency for a period of 20 years, and was rewarded with a personal Jagheer amounting to Rs. 10,000 on his retirement from the Service. At his request this Surinjam of Rs. 3,000 was continued out of his Jagheer to his son Mahomed Abdool Kadur, the original grantee, and the remaining portion, viz. Rs. 7,063-12-9, was continued in his own name. This Surinjamdar died on the 30th September 1831, and his Surinjam was resumed, but his heirs, under the recent orders of the Honorable Court, are entitled to pensions at the rate of a moiety of the actual net proceeds of the Surinjam. The Collector states that the total amount entered under column 9 is the Tunka amount of the Surinjam, and its actual net proceeds at the time of the grant amounted to Rs. 3,000. He further states that the village of Maloonjeh was inadvertently included in this Surinjam in the former list, consequently the same has been omitted in the present list. This village was enjoyed by this person without any right, consequently the revenue realized by him from the village up to his death should be deducted in the event of a pension being granted to his heirs. The actual net proceeds of this Surinjam, calculated at the average of the last ten years preceding the death of the last incumbent, from such accounts as were sent by the Collector of Ahmednuggur, appears to be about Rs. 2,990, and a moiety of this sum has been entered under column 15 as the amount of pension due to claimant. The arrears due to claimant, calculated from the date of the death of this Surinjamdar up to the 29th December 1844, being a period of thirteen years, at Rupees 1,495 per annum, amounts to Rs. 19,435, and which sum has been entered under column 16.

16. It will be observed that in both the lists of 1844 and in those of 1847 the estimated annual value of the Surinjam was shown to be Rs. 8,529-14-1, or nearly three times the amount originally granted: why this entry was made in the revised lists I cannot understand, as it showed, not the actual value of the holding, but the valuation (Tunka) which had been assigned to it many centuries previously under the Mahomedan Government, and this was stated in the 20th column, headed "Remarks," of the lists, in which the following entry is to be found :—

> "The Collector states that the total amount entered under column 9 is the Tunka amount of the Surinjam."

17. The village of Maloonjeh was omitted in the revised lists, and the following explanation afforded in the 20th column, of "Remarks":—

> "This village was enjoyed by this person without any right, consequently the revenue realized by him from the village up to his death should be deducted in the event of a pension being granted to his heirs."

18. This information, upon which the revenue of Maloonjeh from 1819 to 1831 has been deducted from the pension now granted, was furnished to the Agent for Sirdars by the Collector of Ahmednuggur, whose records, however, contained Mr. Chaplin's order of the 24th November 1819, granting the village, a copy of which was lately obtained from the Collector's Office by the Agent, and brought to the notice of Government in the 3rd paragraph of his report No. 401, of the 30th July last.

19. The original letter from Mr. Elphinstone to Mr. Chaplin, quoted in my 3rd paragraph, has been found partially destroyed, and with other valuable documents in the same condition, among a number of papers which were lying loose in the Agent's Office, until made over to me under the orders of Government conveyed in the Chief Secretary's letter No. 5206, of the 30th November 1852.

20. The amount of annual pension to be granted in this case was, according to the revised lists, Rs. 1,495. This, however, appears to have been incorrect, as the sum actually paid I find, from the Agent's letter No. 506, of the 6th November 1850, to be Rs. 1,076-2-6½.

21. In the revised lists submitted on the 26th October 1847, arrears are shown to be payable only up to the 29th December 1844, whereas they appear from the Agent's letter quoted in the last paragraph to have been paid up to September 1850, the latter being, I apprehend, correct.

22. But the amount of annual pension actually paid has been ascertained and fixed under circumstances which it seems to me most necessary to bring to the notice of Government, affording, as they do, a

rkable illustration of the advantages which will be realized under operation of the orders issued in the Chief Secretary's letter No. 642, February 1854.

hen the calculation fixing the pension was made by the Agent, ollector of Ahmednuggur was requested to furnish accounts of the villages specified in paragraph 9 of this letter, which had composed Surinjam for the ten years preceding Mahomed Abdool Kadur's death on the 30th September 1831.

24. Accounts for the ten years preceding Mahomed Abdool Kadur's death were not forthcoming,* and the Agent eventually calculated the amount of pension from such accounts as could be furnished, and in the case of Jafferabad from accounts of the *Peshwa's Government.*

25. The Koolkurnee of Maloonjeh furnished no accounts of any sort for any period preceding Mahomed Abdool Kadur's death, all these documents having, it was stated, been swept away by a flood out of a temple in which they had been placed. The amount which it was proposed to deduct on account of the supposed unauthorised holding of Maloonjeh was fixed from accounts for the ten years *subsequent* to Mahomed Abdool Kadur's death.

26. But three-fifths of even these accounts, from which the statements referred to in paragraph 24 of this letter, furnished to the Agent, purported to have been framed, are apparently not now in existence, as they are not among the documents received from the Mamlutdar of the district, who reports (No. 750, of the 3rd September 1853) having forwarded to me all the accounts of these villages which are forthcoming from his own records or from the hereditary district and village office.

27. I called for these accounts, because I found that in 1846 statements had been framed† by the district officer, in which the amounts differed materially from those entered in the statements last furnished (referred to in paragraph 24 of this letter); and as in most cases the years purported to be the same, it seemed very desirable to ascertain whether such difference was attributable to error or to fraud.

28. In the case of this Surinjam, Government have sanctioned (Chief Secretary's letter No. 4667, of the 12th September 1850) the division of the pension due according to the Surinjam Rules to the second generation from the conquest,—two-thirds to Mahomed Essub, the eldest son of the late Surinjamdar, and one-third to the younger son, Goolam Hoossein. I take this opportunity of soliciting information regarding the rules under which pensions are granted on the lapse of Surinjams, and whether, excepting in special cases, such pensions are continuable only

* Yad No. 62, of the 25th January 1850, from the Collector of Ahmednuggur to the Agent for Sirdars.

† Forwarded to the Agent for Sirdars from the Ahmednuggur Collector's Office with a Yad No. 565, of the 6th October 1846.

during the lifetime of the eldest son, or if not, whether each share lapses at the death of the son in the enjoyment of it.

29. It only remains to submit an opinion upon the claims now set forth. As regards the sum of Rs. 5,806-8-6 deducted under the supposition that the village of Maloonjeh had been improperly held by Mahomed Abdool Kadur, I apprehend that it should be refunded to his sons, the present claimants, as it is clearly established (paragraphs 3 to 6 of this letter) that the village was formally made over to him under the orders of the Deccan Commissioner, at the desire of the Governor, Mr. Elphinstone

30. But should Government adopt my view of the case, the request that this village of Maloonjeh may be included in the Surinjam, half the net proceeds of which the claimants are to receive in the shape of a pension, must be rejected; for although the village was undoubtedly made over by the British Government to Mahomed Abdool Kadur, it seems to me equally clear that it was through oversight (paragraphs 7 to 10 of this letter) alone that he was allowed to retain it, *in addition* to the handsome provision made for him under the orders of Government, three years after Maloonjeh had been granted to him. Should Government decide on refunding the amount deducted on account of Maloonjeh, the family will have profited to a considerable amount by an oversight, the perpetuation of which they cannot surely with any degree of reason expect, much less claim.

I have the honour to be, &c.

(Signed) T. A Cowper, Captain,
Assistant Inam Commissioner

No 3163

Dated Belgaum, 29th March 1854.

Mr. LeGeyt is of opinion that the grant of Maloonjeh in 1819 was a grant "irrespective" of the one afterwards made in 1822.

2 Captain Cowper, Assistant Inam Commissioner, considers that it was intended that the village should have been included in the grant of 1822, or else resumed when that grant was made. (See letter No. 117, dated 18th March 1854, herewith forwarded.)

3. Mr. Warden, in 1844, apparently placed the same interpretation on the early proceedings, as he entered the village in the revised lists *as part of the grant of* 1822,—an error, however, which Captain Cowper points out in paragraph 14, as it is clear that Maloonjeh was given in 1819

4. Mr. Brown, in 1847, stated that Maloonjeh was enjoyed "without any right" at all, and deducted Rs. 5,806-8-6 from the pension in consequence.

5. The Inam Commissioner begs to state that he concurs with Mr. LeGeyt in regarding this grant as one "irrespective" of the grant of 1822. The grant of 1822 is designated a "Jagheer" or Surinjam grant, made as a provision to the Moonshee *for his great services*, and *as compensation for his serious losses, suffered after* 1819, in the Nizam's country.

6. But the grant of 1819 was made to the Moonshee's son on very different grounds :—

> "Kadur Saheb (the Moonshee's son) insists on a letter. He is a good fellow, and his father, who is less so, was useful during our troubles before the war."

So Mr. Elphinstone, who well knew at the time of the grant that the Moonshee himself was most liberally provided for in the Nizam's country, gave the village to the Moonshee's son partly because he was a "good fellow."

7. When, as above stated, the Moonshee lost his possessions in the Nizam's territory, Mr. Elphinstone, in 1822, gave *him* a Jagheer of Rs. 10,000, of which the son was to have Rs. 3,000. No allusion was made to Maloonjeh, and therefore the Inam Commissioner thinks that there is *not* sufficient evidence to declare that it was the intention of Government to include Maloonjeh in the grant of Rs. 3,000. He regards the grant of Maloonjeh simply as a gift or "Buksheesh" made to the Moonshee's son, and not a Surinjam grant.

8. With these views he arrives, though upon different grounds, at the same conclusion as his Assistant, Captain Cowper, in the two closing paragraphs of his report. The sum of Rs. 5,806-8-6 should, he submits, be refunded to Kadur Saheb's sons, and Maloonjeh should be regarded as a lapse to the British Government, and should form no part of the calculation in determining the pension on account of the *Surinjam*.

9. In paragraphs 16 to 21 certain inaccuracies are brought to light, and in paragraphs 22 to 27 Captain Cowper notices the unsatisfactory basis upon which the calculation of the value of the pension has been made, and shows how advantageously the Government order No. 642, of 6th February 1854, is likely to operate.

10. The decision of Government is solicited on the subject of paragraph 28

(Signed) C. J. MANSON,
Inam Commissioner.

No. 2177 of 1855.

Political Department.

To R. Keays, Esq.,
Agent for Sirdars in the Deccan.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of Mr. LeGeyt's report No. 401, dated the 30th July 1853, upon a petition from Mahomed Essub Khan wulud Mahomed Abdool Kadur Khan, claiming the sum of Rs. 5,806-8-6, deducted from arrears due to him on account of a pension granted on the resumption of his late father's Surinjam.

2. In reply, I an desired to transmit for your information and guidance copy of a Resolution passed by Government in this case, under date the 30th March last, with transcripts of the documents therein alluded to, being a report No. 3163, dated the 29th March 1854, from Mr. Manson, then Sole Inam Commissioner, and its enclosed communication from Captain Cowper, of the 18th of the same month.

I have the honour to be, &c.
(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 2nd June 1855

Resolution passed by Government on the 30th March 1855.

Resolved,—Mahomed Huneef, the grandfather of the claimants of the pension, exhibited in No. 5 of Class IV. of Mr. Brown's revised lists, was Moonshee in the Poona Residency from the year 1802 to the conquest of the Deccan.

2. He held a Jagheer in the Nizam's country, of which he was deprived in consequence of certain arrangements concluded between the British Government and the Court of Hyderabad. The Honorable Mr. Elphinstone in 1821 granted to him a Jagheer of Rs. 7,000, and to his son Abdool Kadur a Jagheer of Rs. 3,000 per annum, as a compensation for the loss of the Jagheer in the Nizam's country.

3. Before this grant of Jagheers, Mr. Elphinstone had requested Mr. Chaplin to give to Abdool Kadur a village of small value, because he was "a good fellow," and because his father (Mahomed Huneef) had performed useful services to the State. Mr. Chaplin, in accordance with these instructions, directed the Collector of Ahmednuggur in 1819 to give over to Mahomed Abdool Kadur the village of Maloonjeh.

4. It will thus be seen that Abdool Kadur obtained two grants,—*1st*,

in 1819 the village of Maloonjeh; *2nd*, in 1821 a Jagheer of Rs. 3,000 per annum.

He died in 1831, and the Jagheer and village were resumed. In the lists of 1844, prepared by Mr. Warden, his sons were entered for a pension equal to half the value of the net proceeds of the Jagheer, *in which the village of Maloonjeh was included*, as part of the grant of 1821, whereas it was a separate and distinct grant of 1819.

6. This error was corrected in Mr. Brown's lists, which, however, contained certain other errors relative to the value of the grant, &c. which also appeared in Mr. Warden's lists, but which are not material to the present discussion But a question was raised by Mr. Brown as to whether the village of Maloonjeh had not been wrongfully held by Abdool Kadur in addition to the Jagheer, and accordingly the amount received during thirteen years from the village was deducted from the arrears of pension due to his sons from the date of their father's death.

7. It should here be observed that Abdool Kadur left two sons, one, Mahomed Essub, by his first wife, the other, Goolam Hoossein, by a woman whose marriage by Nika was impugned in 1832, and was long under discussion. The Government in 1850 approved of an amicable arrangement, by which two-thirds of the pension was taken by Mahomed Essub, and the remaining third by his brother.

8. The questions now presented to Government, in consequence of a petition from Mahomed Essub, are,—

1st.—Should the sum of Rs. 5,806, the amount drawn by Abdool Kadur from the village of Maloonjeh, have been deducted from the amount of arrears of pension which was due to Abdool Kadur's sons?

2nd.—Should the village of Maloonjeh have been taken into the accounts in calculating the amount of pension due to Abdool Kadur's sons?

9. The Right Honorable the Governor in Council has no doubt whatever that Mr. Brown's view on the first question was not correct. That gentleman considered it was intended that Maloonjeh should form a part of the Jagheer of Rs. 3,000 granted in 1821, and that, therefore, the revenues of the village, being in excess of the annual sum of Rs. 3,000, should be refunded. Captain Cowper considers that no fraud or concealment was contemplated by Abdool Kadur, but that an error or omission was made by Mr. Chaplin. The Right Honorable the Governor in Council does not exactly concur in this view. He observes that Maloonjeh was granted to Abdool Kadur when the family possessed a large Jagheer. He considers, therefore, it would not be reasonable to conclude it was intended to take that village away when the family, deprived of

the large Jagheer, was receiving a small one instead.* He has no doubt whatever that the village was granted irrespective of the Jagheer, which is also the opinion of Mr. LeGeyt, the Agent for Sirdars, and Mr. Manson, the Inam Commissioner. He therefore considers that the amount of revenues drawn by Abdool Kadur from Maloonjeh was wrongfully subtracted from the arrears of the pension due to the sons, and is pleased to direct the repayment of the same.

10. The second question raised by Mahomed Essub is whether, in granting a pension equivalent to a moiety of the net proceeds of his father's Surinjam, the village of Maloonjeh should not be taken into account, and a sum equal to half of its net revenues granted. The Right Honorable the Governor in Council is clearly of opinion that this claim is inadmissible. The village was a mere "Bukshcesh" or gift to Abdool Kadur, because he was "a good fellow," whose father had done good service. This point is put very clearly by Mr. Manson, and the Right Honorable the Governor in Council has no doubt whatever that the Rules relating to the grant of pensions on the resumption of Surinjams do not apply to a grant of this nature, and that, therefore, Maloonjeh should not be admitted into the account when the amount of pension in lieu of the *Surinjam* is determined.

11. With reference to the facts stated in paragraphs 16 to 20 of Captain Cowper's report, the Agent for Sirdars should be instructed to adjust the amount of the pension assigned, by taking the average of the three years subsequent to October 1850 (when the pension was finally assigned), as provided in the Government letter No. 642, of the 6th February 1854.

12. In his 28th paragraph Captain Cowper alludes to the Government letter of the 12th September 1850, in which the payment of two-thirds of the pension to Mahomed Essub, and of one-third to Goolam Hoossein, was sanctioned. The Right Honorable the Governor in Council is inclined to the opinion that it would have been better if Government had refrained from any interference with the dispute; had paid the pension to the eldest son; and had left the younger son to establish his legitimacy, and his consequent claim to a provision from his elder brother, in a court of law. But as the letter of September 1850 may in some manner be regarded as a guarantee to Goolam Hoossein, the Right Honorable the Governor in Council will not disturb the arrangement formerly made. In future, however, he considers that, except in special cases, pensions granted on the lapse of Surinjams should be continued only during the lifetime of the eldest son of the last Surinjamdar.

* To make the village form a part of the Jagheer of Rs. 3,000 would be equivalent to taking it away.

Extract Paragraphs 72, 73, and 75 from a Despatch from the Honorable the Court of Directors, dated the 12th December, No. 27 of 1855.

Claim of Mahomed Essub Khan to the sum of Rs. 5,806-8-6 deducted from arrears due to him on account of a pension granted on the lapse of the Surinjam held by his deceased father, Mahomed Abdool Kadur Khan.

Para. 72. It is now clearly proved that Mahomed Abdool Kadur Khan held the village of Maloonjeh under a valid grant from Mr. Chaplin, authorised by Mr. Elphinstone, and not, as was supposed, without title; and the proceeds, therefore, ought not to have been deducted from the arrears of pension due to the son. The name of the Collector of Ahmednuggur who furnished the incorrect information (although his own records contained Mr Chaplin's order) should have been stated

73. You have very properly ordered the payment of the amount erroneously withheld. But the claim of Mahomed Essub Khan to have the revenues of Maloonjeh taken into account in calculating the half proceeds for his pension was, as you considered it to be, inadmissible, Maloonjeh being no Surinjam, but a personal gift to the individual.

75. The pension (by the Surinjam Rules) should have been granted to the eldest son only; therefore the Government in 1850 should not have required the assignment of a third of the amount to his younger brother, and should have declared that the whole pension would lapse on the death of the elder We shall not, however, now object to the continuance of the two portions as separate life pensions to the brothers.

APPENDIX W.

—

No. 929 of 1855.

Political Department.

From Captain T. A. Cowper,
Inam Commissioner Northern Division,

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Poona, 19th August 1855.

Sir,—I have the honour to report upon the Surinjam entered as No. 4 of List 4, in the name of Narayen Rao Balkrishna Kanuday, in the revised lists submitted to Government by the Agent for Sirdars, Mr. Brown, on the 26th October 1847.

2. The statement prepared by Mr. Elphinstone's Secretary, Mr. McDonnell, contained the following entry, No. 4 in the Class of Silledars :—

" No. 4.—Balkrishna Gungadhur.—Exd.

" Jagheer.

" *Konkun.*

Moujé Kotlook, Turuf Vellum, Talooka Anjunwell .. Rs.	867	12	0
Moujé Khanow, Turuf Tullojee, Talooka Neerul	700	0	0
Total........Rs.	1,567	12	0

" 4. The Silledar's statement and the Duftur account agree to a fraction. By the accounts from the district the collection from Kotlook amounts to Rs. 889; the other village went in the cession of 1817, since which he has not enjoyed it."

3. In the Surinjam lists sent by Mr. Elphinstone on the 25th October 1819 to the Supreme Government, the Surinjam of Balkrishna Gungadhur was entered as shown below. It consisted of one village, Kotlook; the other, Khanow, described by Mr. McDonnell as having gone "in the cession of 1817, since which he has not enjoyed it," was excluded.

Number.	Name.	Class.	Remarks.	Decision.	Total Amount of the Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.	Estimated real Value at present.	Pecuniary Pension.	For what Period recommended.
					Rs.		Rs. a. p.	Rs.	Rs.	
4	Balkrishna Gungadhur.	Silledars.	.	For retaining his Jagheer, though granted by Bajee Rao as the grant was the result of an agreement for the good of the country. Land	867	17	867 12 0	899	..	For life.

4. In consideration, however, of the village of Khanow having, though not enjoyed at the breaking out of the war, been held till the cession took place in June 1817, Balkrishna Gungadhur was granted a pension, the entry of which in the "miscellaneous" list of pensions granted by Mr. Elphinstone, which his successor, Mr. Chaplin, subsequently furnished, is below extracted :—

Number.	Name in the Original Lists.	Annual Amount.	Persons to whom the Pensions have actually been granted.	Annual Amount.	Remarks.
		Rs.		Rs.	
16	Balkrishna Gungadhur.	700	Balkrishna Gungadhur	700	Granted in lieu of a village in the Konkun, which he held in personal Jagheer till it was ceded by the Treaty of Poona.

5. It is of importance to note that this pension was not entered—where all pensions granted in lieu of Surinjams resumed by the British Government were entered —in Mr. Elphinstone's lists.

6. In a letter dated the 8th July 1831, the Collector of Poona reported the death, on the 6th of the preceding month, of Balkrishna Gungadhur Kanuday; and in their Chief Secretary's letter No. 2692 of the 5th August following, Government ordered the resumption of the Surinjam, consisting of the village Kotlook; the pension of Rs. 700 per annum was also discontinued.

7. Under the foregoing circumstances, the Surinjam was not shown in any of the lists framed in the office of the Agent for Sirdars between 1831 and 1844, in which latter year it was entered as follows in the lists prepared by the Agent, Mr. Warden, and submitted by him to Government on the 29th December. Not only, however, was the village of Kotlook entered, but the other village, which had not been held at all, was also included, and the Surinjam was shown to have consisted of *both of them.*

Number.	Name of Original Grantee.	Name of Present Claimant	Sooba in which the Surinjam is situated.	Names of the Villages comprising the Surinjam.	Estimated Annual Value of each Village.			Date ...	Age of Present Claimant	Private Income of the Incumbent.	Names and Ages of the Incumbent's Legitimate Male Issue.	...e.	Remarks
					Rs.	a.	p.	A. D.		Rs.			
2	Balkrishna Gungadhur Kanuday.	Narayen Rao Balkrishna Kanuday	Rutnagherry	Kotlook	867	12	0	1802.	14 years		None.		
				Neerul Khamgaum	700	0	0						
				Total .	1,567	12	0						

8. Mr. Warden's lists were returned for revision to his successor, Mr. Brown, with the Chief Secretary's letter No. 1898 of the 9th May 1846, in para. 23 of which the following instructions regarding this Surinjam were issued :—

"No. 2 of List 1.—This Surinjam is entered in the list as being of the annual value of Rs. 1,567-12-0, which corresponds with the amount mentioned in a list of Surinjams prepared by Mr. Chaplin in 1820. This Surinjam is not entered in the lists prepared in 1834 and 1840. No information can be traced on the records of Government in regard to when, and under what circumstances, this Surinjam was resumed. Information is, therefore, requested upon the subject, and also as to how many British grantees have held this grant."

9. I have not been able to discover the document described by Government as "a list of Surinjams prepared by Mr. Chaplin in 1820," in which the annual value of this Surinjam is entered at Rs. 1,567-12-0, which is, as I have explained in paragraph 2, the value of *both the Surinjam and the pension.* In the register of Surinjams actually restored, which Mr. Chaplin submitted to Government on the 28th October 1822, the Surinjam is shown of the annual value of Rs. 867-12-0, being that assigned to the village of Kotlook in Mr. McDonnell's memorandum. (See paragraph 2 of this report.)

10. Mr. Brown, in reply to the order quoted in paragraph 8, informed Government (paragraph 36 of the Agent's letter No. 178 of the 26th October 1847), when submitting his revised lists,—

"36. The explanation required regarding No. 2 of List No. 4 of Mr. Warden's revised list will be found in No. 4 of List No. 4 of my revised list."

11. The entry in the revised lists was as follows.

Number	Name of Original Grantee	Name of the Incumbent who was in possession of the Surinjam at the time of the Conquest.	Name of the last Incumbent	Name of the Present Incumbent	No. in the List of A. D. 18[illegible]	Soobah in which the Surinjam is situated	Names of the Villages composing the Surinjam.	Estimated Annual Value of each Village, agreeably to the Collector's signed Memoranda.	Date of Original Grant, as ascertained from Sunuds and Records.	Age of the Present Claimant	Annual Private Income of the Claimant.	The Names and Ages of the Claimant's Legitimate Male Issue	Date of the Resumption of the Surinjam.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
								Rs. a. p.	A. D.		Rs		
4	Balkrishna Gungadhur Kanuday.	Balkrishna Gungadhur Kanuday.	Balkrishna Gungadhur Kanuday.	Narayen Rao Balkrishna Kanuday.		Ratnagherry.	Kotlook..	867 12 0	1802	11 years.		None.	7th August 1831.
							Neerul Khanow.	700 0 0					
							Total .	1,567 12 0					

The Amount of Pension due to Claimant at the rate of a moiety of the Net Proceeds of the Surinjam.	The Amount of Arrears due to Claimant if a Pension is granted.	Whether the Present Claimant is the direct Descendant of the last Incumbent.	By how many Generations the Surinjam has been enjoyed since the Conquest.	Reasons for making the Grant, as recorded by Mr. Elphinstone when Sole Commissioner in the Deccan.	Remarks.
15	16	17	18	19	20
Rs. a. p.	Rs. a. p.				
705 3 5	8,930 4 9	Son of the last incumbent.	By one generation.	Silledars, No. 4.—To retain his Jagheer, though granted by Bajee Rao, as the grant was the result of an agreement for the good of the country. Land, for life.	This Surinjam was resumed on the 5th August 1831, on the death of Balkrishna Gungadhur, the first British grantee, which is the reason why his name was not entered in the lists of 1834 and 1840. The widow of Gungadhur received a pension of Rs. 200 annually. She is deceased, and the son, the present incumbent, by the Rules laid down by the Court of Directors, is entitled to a pension. The actual net proceeds of the village of Kotlook, calculated at the average of the last ten years preceding the death of the last incumbent, is ...Rs. 905 7 9 Amount of cesses which have been remitted .... 195 0 10 Total ..Rs. 710 6 11 Add,— Amount of money payment to last incumbent in lieu of the village of Khanow, which went in the cession of A. D. 1817..................Rs. 700 0 0 Total..Rs. 1,410 6 11 A moiety of this sum has been entered under column 15 as the amount of pension due to claimant. The arrears due to claimant, calculated from the 5th August 1831 up to 5th August 1846, being a period of fifteen years, at Rupees 705-3-5 per annum, amounts to Rupees 10,578-3-3, from which deduct annual allowance of Rs. 200 paid to Balkrishna Gungadhur's widow up to her demise in October 1839, and the balance is Rupees 8,930-4-9, and which sum has been entered under column No. 16 as the amount of arrears due to claimant. The date of original grant, viz. Sulas Myatain (A. D. 1802), is taken from a record in the Poona Duftur. The Chor Chittee, or deed of release, was granted in the name of the original grantee, consequently the Surinjam was enjoyed by one generation only.

12. This entry in the revised lists appears to have been incorrect in the following instances:—

1*st.*—The village of Khanow, which had never been held at all, having been, as described by Mr. McDonnell (see paragraph 2 of this report) lost "in the cession of 1817, since which he has not enjoyed it," was shown (column 8) to have been held in Surinjam, and to have been (column 14) resumed by the British Government in A. D. 1831; and Mr. Elphinstone's recommendation regarding the one village (Kotlook) actually held was made to apply also (column 19) to the other, which had never been restored.

2*nd.*—In the column of "Remarks" the pension was shown; but even supposing it to have been a pension a moiety of which was properly continuable, it should have been entered in the *pension lists* which the Agent submitted at the same time, and in which he did enter another precisely similar pension (reported on in the Inam Commissioner's letter No. 924 of the 25th August 1855).

13. The orders of the Honorable Court of Directors, according a general sanction to the revised lists, were communicated to the Agent for Sirdars in the Chief Secretary's letter No. 3471 of the 13th August 1849.

14. On the 10th October 1850 Narayen Balkrishna made a petition to Government, requesting that orders might be issued for the speedy payment of the pension granted him.

15. In reporting on this petition, the Assistant Agent informed Government on the 26th October 1850,—

"The Collector of Rutnagherry has been requested to forward to this department accounts of the villages comprising the Surinjam for ten years previous to the date of resumption, which took place in 1831. As soon as these accounts have been received the petitioner's case will be settled."

16. I am not able to understand the foregoing explanation, because the information described in 1850 as required from the Collector of Rutnagherry was afforded in the column of "Remarks" of the revised lists framed in 1847; at least, so it would appear from the entry quoted in paragraph 11 of this letter.

17. On the 23rd January 1851, Government, in their Chief Secretary's letter No. 296, again drew the attention of the Agent to this case.

18. Government were in reply informed on the 3rd February 1851,—

"In the case of Narayen Balkrishna Kanuday, entered No. 4 in the revised Surinjam List No. 4, the Collector of Rutnagherry has been requested by Mr. Hunter to forward the accounts of the Surinjam villages, in

order to enable him to calculate the amount of pension to which that person is entitled. When these have been received the pension will be assigned to him."

19. In his letter No. 145 of the 9th April 1851, the Agent for Sirdars, Mr. Brown, informed Government,—

"With reference to the third point contained in Mr. Keays' letter No. 52 dated the 3rd February last, I have the honour to report the death of Narayen Balkrishna Kanuday, without male issue, on the 20th ultimo."

20. Nothing more appears to have been done, and nothing seems to have been paid on account of the pension, although I am given to understand that Narayen Balkrishna has left a legal representative (see paragraph 27 of this letter), to whom, in such case, all arrears justly due up to the date of Narayen Balkrishna's death must, I apprehend, be payable.

21. The amount of pension shown in the revised lists included one-half of that granted by Mr. Elphinstone to Balkrishna Gungadhur during his lifetime. No portion of this, however, is, I apprehend, continuable under any existing rule, as the pension was granted entirely as an act of grace, and not in lieu of, or in commutation for anything resumed by the British Government.

22. Before concluding this report, I have to bring to notice the remarkable fact of Narayen Balkrishna Kanuday having, on the 23rd August 1849,—that is to say ten days *after* the Honorable Court's sanction to the revised lists had been communicated to the Agent for Sirdars (see paragraph 13 of this report),—executed in favour of one Vittul Pandoorung Kawutkur, a resident of Poona, a document, herewith transmitted in original (marked A), binding himself to pay, in the event of his receiving a pension, one-half of the arrears, and a future annual sum amounting to one-eighth of the pension, to the said Vittul Pandoorung Kawutkur, who was, in consideration thereof, to make the necessary "Khutput."

23. The document passed by Narayen Balkrishna Kanuday, a translation of which is annexed (marked B), recapitulates, it will be observed, the fact of his not having up to that date (the 23rd August 1849) heard anything regarding his prospect of obtaining a pension.

24. The arrears, according to the calculation made in the revised lists, had, when this bond was executed, reached the sum of *ten thousand rupees*, so that half of this large amount, together with an annual pension of nearly Rs. 100, constituted the bonus to be paid for the obtainment not merely of a pension the grant of which Vittul Pandoorung Kawutkur could by no legitimate means either expedite or retard, but of a pension specific orders for the payment of which had ten days previously reached Poona.

25. I have been able to ascertain the precise circumstances under which

this agreement was made, they are detailed in two depositions, translations of which, marked C and D, are annexed, and may be briefly described as follows.

26. The person in whose favour the deed was drawn out was merely put forward to evade the necessity of entering the name of Bapoo Gooroojee, who was in reality one of the principals in the transaction. He was at that time employed in the Poona Duftur, having held a situation in the office of the Agent for Sirdars from the commencement of the British rule till 1845 or thereabouts, when he obtained a pension, and his son received an appointment there. This accounts for the influence he was supposed to be able to exercise.

27. Pandoorung Govind Joshee, who was required to endorse Narayen Balkrishna's promise, is the person referred to in paragraph 20 of this letter. He is of some notoriety in Poona as a man of great reputed sanctity, and he appears to enjoy the means of comfortable subsistence, while Narayen Balkrishna Kanuday was for some years prior and up to the date of his death in a state of abject poverty,—for a length of time he maintained himself by serving as a cook.

28. It seems that shortly after the deed was executed Pandoorung Govind Joshee became aware of the fact that the required sanction had already reached the Agent's Office, and on learning this declined, as a matter of course, to pledge himself to pay an enormous sum for that which he knew to have been granted. The transaction then appears to have closed with the mutual return of the agreements originally entered into. Bapoo Gooroojee is said to have received back one which he had furnished to Pandoorung Govind, who, in his turn, regained possession of the document now submitted to Government.

29. That this deed of agreement is a genuine document appears to me clear. There is nothing whatever forthcoming to impugn the testimony of Pandoorung Govind Joshee, even were it unsupported, which, however, it is not, three of the persons whose names appear on the deed as witnesses having deposed to the signatures being theirs; two of these persons' depositions have been obtained by me from the Collector of Sattara; the third individual resides in Poona: he is a nephew of Pandoorung Govind, and his deposition, which is one of those annexed to this letter (marked D), describes clearly the circumstances under which the document attested by him was executed.

30. I have thought it especially desirable to place Government fully in possession of the circumstances under which this agreement was entered into; for whether it may or may not be an illegal one, there can, I apprehend, be no doubt whatever that it belongs to a class of transactions which it is absolutely necessary to discourage and prevent as much as possible. There is surely

something radically wrong in the state of things under which even the lowest subordinates in an office can be believed to possess and exercise power and influence actually greater than that vested in the head of the department to which they belong.

31. In how far the failure of Narayen Balkrishna and his representative, Pandoorung Govind Joshee, to comply with the extortionate demands made upon them, may have been connected with the non-payment of the pension ordered to be disbursed, it is now, I apprehend, scarcely possible to determine; it is, however, certain that the large arrears of pension, the payment of which was authorised on the 13th August 1849, remained undisbursed up to Narayen Balkrishna's death on the 20th March 1851; and I find from the records of the Agent for Sirdars that an application for the arrears due up to Narayen Balkrishna's death was made to Government by his alleged legal representative, Pandoorung Govind Joshee, on the 1st September 1852, and was negatived in the following report of the Agent, since the date of which nothing appears to have been done:—

"The Acting Agent for Sirdars in the Deccan has the honour to report that the request of the petitioner to pay him the arrears that may be due to the deceased Narayen cannot be complied with. He may, however, be referred to this department, with such documentary proof as he may have to adduce in support of his claim."

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

Translation marked B (to accompany Captain T. A Cowper, *Inam Commissioner's Letter No.* 929 *of the* 2?*th August* 1855*), of a Deed of Agreement passed by* Narayen Balkrishna, alias Raojee Kanuday, *residing in Poona in the Sudasew Pait, to* Vittul Pandoorung Kawutkur, *residing in Poona in the Shookurwar Pait, dated the* 23*rd August* 1849 *(*5*th Bhudrupud Shood, Shuké* 1771*).*

My father, the late Balkrishna Gungadhur Kanuday, rendered very important military services to the Peshwa's Government, in consideration of which the Peshwa, Bajee Rao, assigned him for his maintenance the village of Kotlook, Turuf Walimbh, Talooka Anjunwell, and the village of Khanow, Turuf Neerul, Prant Kullian, Zilla Tanna, which continued with my family up to the war.

At the conquest the villages were attached, but subsequently, when Mr. Elphinstone made a settlement for the Sudars, he continued to my father the village of Kotlook, and assigned an annual allowance of Rs. 700 in lieu of the village of Khanow, both of which, the village and the cash allowance, were enjoyed by my father up to his death on the 22nd May 1831 (11th Wuishak Shood, Shuke 1753). My mother, Rukhmabaee, was then granted an allowance of Rs. 200, which she enjoyed up to her death on the 4th November 1839 (13th Ashwin Wud, Shuké 1761). When my mother died I was a minor, and knew nothing; but on the 6th October 1843 my agent (Karbaree), Pandoorung Govind Joshee, presented a petition in my name, signed by him, but I have not yet received any reply, and nothing has been done by Government for my maintenance. I have constituted you my Mookhtiar (accredited agent), by giving you a separate written authority, under date 23rd August 1849,—on stamped paper of the value of Rs. 8, No. 7343, 20th August 1849, and English No. 420,--to present memorials and petitions to Government; to make Khut-put, and other endeavours; to get the allowance held by my ancestors (Wudeel), or any portion, continued for my maintenance; to obtain the arrears since the death of my father; and to receive the amount on my behalf. If, therefore, I should succeed, through your petitioning and endeavours, with the Government or anywhere else, in getting what my family held, or any part thereof continued to me, I will annually give you an eighth of the sanctioned amount, after deducting whatever is requisite for expenses, &c., and I will also give you one-half of the amount I may receive on account of arrears, for your pains. Whatever expenses you may incur in this business you are to defray yourself,—I shall not be answerable for them. I will not cancel the Mookhtiarnama until the Government decide this business; if I should cancel it, I will still pay you what I have agreed to above, without urging the fact of my having so cancelled it, or of my having laboured in the matter myself. If within four months from the date of the Mookhtiarnama nothing should be done in my case, either in the shape of orders issued by Government or an inquiry in the Agent's Office likely to end favourably, both the Mookhtiarnama and this deed of agreement will cease to be binding upon me.

Signed by me on the 23rd August 1849. Written by Appajee Ramchunder Bhorekur, residing in Poona, in the Sudasew Pait, in the house of the Nuggurkur, at the dictation of the principal.

(Signed) NARAYEN BALKRISHNA, *alias* RAOJEE KANUDAY.

Witnesses,

(Signed) Huree Bullal Phatuk, Satarkur.

„ Narayen Huree Joshee, residing in Sudasew Pait.

I, Pandoorung Govind Joshee, hereby agree to make good the terms of the above agreement should Kanuday fail to do so. Dated as above.

(Signed) PANDOORUNG GOVIND JOSHEE

Witnesses,

(Signed) Huree Bullal Phatuk, Satarkur.
„ Narayen Huree Joshee, residing in Sudasew Pait.
„ Ragho Ramchunder Goklay Chinchoorkur
„ Mahadow Bapoojee Baput.

(True translation)

(Signed) T. A. COWPER, Captain,
Inam Commissioner Northern Division.

Translation marked C (to accompany the Inam Commissioner Captain T. A. COWPER's *Letter No.* 929 *of the* 29*th August* 1855*), of a Deposition on solemn affirmation given before that Officer by* PANDOORUNG GOVIND JOSHEE, *Brahmin, aged sixty-five years, an inhabitant of Poona.*

Question.—Do you recognise this deed of agreement passed under date the 23rd August 1849 (5th Bhadrupud Shood, Shuké 1771), by Narayen Balkrishna Kanuday, *alias* Raojee Kanuday, to Vittul Pandoorung Kawutkur, which is shown you ?

Answer.—I do.

Q.—Is the signature attached to the endorsement at the foot of the deed yours ?

A.—It is.

Q.—The aforesaid endorsement is to the effect that in case of Kanuday's failing to fulfil the agreement, you will do so: what was the reason of your thus binding yourself ?

A.—Bapoo Gooroojee told me that he had no confidence unless I pledged myself, and therefore I wrote the endorsement.

Q.—The deed aforesaid being passed to Kawutkur, what connection had Bapoo Gooroojee with it ?

A.—It was Bapoo Gooroojee who proposed and settled everything about the deed of agreement, but he did not wish to have it drawn out in his name; and it was, therefore, at his desire, that the name of Vittul Pandoorung Kawutkur was entered.

Q.—How did Bapoo Gooroojee induce you to enter into the above agreement ?

A.—He told me that he would endeavour to get Government to grant something for the maintenance of Narayen Balkrishna Kanuday, who was then a child, in lieu of the Surinjam held by his late father.

Q.—Where did you sign the endorsement written by you at the foot of the aforesaid agreement ?

A.—I signed it in the house in which I then resided, and where I still reside.

Q.—Where was the aforesaid agreement written ?

A.—It was not written at the same time as the endorsement of mine at its foot, but previously.

Q.—To whom did you make over the aforesaid document after its completion and endorsement by you ?

A.—To Bapoo Gooroojee.

Q.—What was the reason of entering into such an agreement with Bapoo Gooroojee ?

A.—Because, as Bapoo Gooroojee was a friend of mine, and acquainted with the Government officials, I had confidence in him.

Q.—After you made over the document to Bapoo Gooroojee, how did you get it back ?

A.—Kawutkur had also passed a counter deed of agreement to get the work done, and Bapoo Gooroojee had endorsed it, pledging himself to fulfil the conditions in case of Kawutkur's failing to do so, and this deed had been given to me. A few days afterwards, I learned that Government had spontaneously accorded the required sanction; I therefore returned the deed I had with me, and took back the one I had given to Bapoo Gooroojee.

(True translation)

(Signed) T. A. COWPER, Captain,
Inam Commissioner Northern Division.

Translation marked D (to accompany the Inam Commissioner Captain T. A. COWPER'S *Letter No.* 929 *of the* 29*th August* 1855*), of a Deposition on solemn affirmation, given on the* 11*th August* 1855 *before that Officer by* NARAYEN HURREE JOSHEE, *Brahmin, aged twenty-eight years, an inhabitant of Poona.*

Question.—A deed of agreement passed under date the 23rd August 1849 (5th Bhadrupud Shood, Shuké 1771), by Narayen Balkrishna, *alias* Raojee Kanuday, in favour of Vittul Pandoorung Kawutkur, is shown you. At the foot of it there is an endorsement, written and signed by Pandoorung Govind Joshee, to the effect that, in case of Kanuday's failing to do so, he (Pandoo-

rung Govind Joshee) will fulfil the conditions; the signature to this endorsement purports to have been witnessed by you. Is the signature yours?

Answer.—I did witness the signature of the document; the signature is mine.

Q.—You witnessed the document as passed by Kanuday, and you also witnessed the endorsement written by Joshee; where were you when you affixed your signature?

A.—The first signature, witnessing the execution of the document by Kanuday, was attached in the house of Bapoo Gooroojee; the other signature, witnessing the endorsement written and signed by Pandoorung Govind, was attached in my own house, that is in Pandoorung Govind's; he and I live together.

Q.—Do you know to whom, and with what object, this agreement was passed?

A.—Bapoo Gooroojee, in the first instance, came to our house, and said to my uncle that he would endeavour to get Government to grant a pension or something else to Narayen Balkrishna Kanuday for his maintenance, in lieu of the Surinjam enjoyed by his late father, and he asked my uncle what he would give him if he were to succeed. My uncle and Bapoo Gooroojee came to a verbal agreement that Bapoo Gooroojee should receive half of the amount of arrears, and one eighth of the annual amount that might be granted,—a document to the above effect was drafted at our house. Bapoo Gooroojee then bought stamped paper at his own cost, and had the agreement, as it had been drafted, written on it at his house, in the name of Vittul Pandoorung Kawutkur. Narayen Balkrishna and myself were at his house when it was written. Bapoo Gooroojee got Narayen Balkrishna to sign the document, and me to witness it. Then a Brahmin of Bapoo Gooroojee's (whose name I don't know) came with me, and brought the bond to my house, where my uncle, Pandoorung Govind, wrote and signed the endorsement, making himself responsible for the fulfilment of the agreement, and kept the document with him. Another similar deed of agreement on the part of Kawutkur to do the work in question, and endorsed by Bapoo Gooroojee as the person who was to be responsible, if necessary, had been prepared, and the signatures attested by me. This Bapoo Gooroojee brought and gave to my uncle, from whom he then received the other agreement bearing my uncle's endorsement, and took it away with him.

(True translation)

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

No. 14189 OF 1855.

POLITICAL DEPARTMENT.

To Captain T. A. COWPER,
Inam Commissioner Northern Division.

SIR,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter, with enclosures, No. 929 dated the 29th August last, reporting upon the Surinjam entered as No. 4 of List 4, in the name of Narayen Balkrishna Kanuday in the revised Surinjam lists of 1847.

2. In reply, I am desired to transmit for your information and guidance copy of a resolution passed by Government under date the 27th ultimo, upon your report, and to acquaint you that the Agent for Sirdars has been instructed to inquire and report fully on the subject brought to notice in paragraphs 22 to 31 of that report.

3. I am further desired to request that you will, in communication with Mr. Keays, submit an amended entry for insertion in the Surinjam lists.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 3rd October 1855.

Resolution passed by Government under date the 27th October 1855.

RESOLVED,—The error in the lists of 1844 and 1847 consists in treating as a Surinjam that which was in reality a Surinjam and a pension. Balkrishna Gungadhur Kanuday held two villages in Surinjam,—Kotlook and Khanow. The latter village was situated in the territory ceded by the Peshwa in 1817. To use Mr. McDonnell's expression, the village "went in the cession of 1817." Accordingly, Balkrishna Kanuday had not possession of Khanow at the breaking out of the war, and the village of Kotlook alone was continued to him by Mr. Elphinstone. Shortly afterwards, however, in consideration of his former possession of Khanow, a pension of Rs. 700 per annum was granted to Balkrishna Kanuday, which pension, it should be carefully observed, was *not* entered in Mr. Elphinstone's Surinjam lists. Balkrishna Kanuday died in 1831; his Surinjam and pension were not included in the lists of 1834 and 1840. This was probably occasioned by the Surinjam having been expressly granted by Mr. Elphinstone *for life*. By the Rules of 1842 it was, however, determined that grants by Bajee Rao should be continued to one generation, with a moiety of the net value as a pension to the second generation. Bal-

krishna's son, Narayen Rao, was accordingly entitled to a pension equal to one-half of his father's Surinjam. But Mr. Warden and Mr. Brown entered him in their lists, the former, apparently, as entitled to the two villages of Kotlook and Khanow; the latter as entitled to a pension equal to half of his father's Surinjam and half of his father's pension. This was the error: Mr. Warden appears to have thought that Balkrishna had held both villages, for it can be shown that that gentleman, in the case of Ragho Mulhar (now before Government), was well aware that the pension granted out of compassion for losses occasioned by the cession of 1817 was not to be regarded and dealt with as a Surinjam. Mr. Brown, on the other hand, learned that Balkrishna did not hold Khanow, but a pension. He should, therefore, have entered Narayen Rao as entitled to a pension equal to half the net revenue of Kotlook, and to no more.

2. Narayen Rao is dead, but his legal representative is entitled to the arrears of the pension calculated at half the net value of the village of Kotlook.

3. Captain Cowper, from paragraph 22 to the end of his report, brings circumstances to the notice of Government which indicate that the Agent's establishment is in an unsatisfactory state. Mr. Keays may, therefore, be directed to inquire and report fully on this subject.

No. 396 of 1855.

Political Department.

From R. Keays, Esq.,
Agent for Sirdars in the Deccan,

To H. L. Anderson, Esq.,
Secretary to Government, Bombay.

Dated Poona, 18th October 1855.

Sir,—I have the honour to acknowledge the receipt of your letter No. 4190 of the 3rd instant, transmitting to me copy of a letter and of its enclosures from the Inam Commissioner of the Northern Division, No. 929 dated the 29th August last, together with copy of a resolution passed by Government thereon under date the 27th ultimo.

2. In reply, I beg to state that the Surinjam held by the late Balkrishna Gungadhur Kanuday was entered in the revised Surinjam lists of 1847 as No. 4 of List No. 4, which was denominated "List of Resumed Surinjams in lieu of which Pensions are due." This list was sanctioned by the Honorable the Court of Directors in paragraph 10 of their political despatch No. 15

dated the 22nd May 1849, and a copy of which was transmitted for the information and guidance of the Agent, with the Government letter No. 3471 dated the 13th August 1849. In paragraph 3 of this letter, the attention of the Agent was drawn to the injunction of the Honorable Court, conveyed in the 13th paragraph of their despatch, relative to the mode of determining the amount of refund, which mode was described in the following terms :—

"The amount of refund should, of course, be determined, not by the estimated annual value of the Jagheer, but by the actual amount realized by Government over and above expenses of management."

3. In the case under notice Narayen Balkrishna, son of Balkrishna Gungadhur Kanuday, was entitled to an annual pension, and to the payment of arrears, which were to be calculated, according to the mode above defined, at half the actual revenue realized by Government from the village of Kotlook, over and above the expenses of management.

4. A Murathee letter was accordingly addressed to the Collector of Rutnagherry on the 22nd November 1849, No. 793, to the following effect :—

" A copy of the letter from the Court of Directors dated the 22nd May 1849, sanctioning the lists which have been framed regarding Surinjams, and pensions in lieu of Surinjams, has been received here with the Government letter of 13th August 1849. In order that arrangements may be made accordingly, I beg to write to you that Balkrishna Gungadhur Kanuday, entered No. 4 in List No. 4 of pensions due in lieu of Surinjams, held a Surinjam, and his heir, Narayen Rao Balkrishna, is entitled to a pension of half the value. The abovenamed individual (Balkrishna Gungadhur) held in Surinjam the village of Kotlook, Talooka Anjunwell. Accounts of the revenue of the village for ten years were previously forwarded by you with a Yad dated the 21st September 1846, and I beg to be informed whether the revenue shown in these accounts is the net revenue received by the Surinjamdar, after deducting village expenses, &c.; if not, you are requested to prepare and forward a statement for ten years, from 1821 to 1831, showing the net revenue received by the Surinjamdar, after deducting village expenses, &c. from the total revenue, and also the expenses incurred every year in collecting the revenue of the above (Surinjam)."

5. Similar letters were also addressed in cases Nos. 2, 3, 5, and 6 of the revised Surinjam list No. 4.

6. Subsequently, Narayen Balkrishna Kanuday made a petition to Government dated the 10th October 1850, which was referred for report to the Acting Agent by Government endorsement No. 4792 of the 17th idem. The Assistant Agent in charge submitted a report on the petition, No. 498 of the 26th October 1850, the 2nd and 3rd paragraphs of which report are quoted

in paragraph 15 of the Inam Commissioner's letter to Government No. 929 of the 29th August last. The Government, in their reply, No. 6239 dated the 21st November 1850, informed the Acting Agent that the petitioner had been referred to him, and that he should be informed of the tenor of the above report. This was, accordingly, done.

7. As the transmission of the accounts called for from the Collector of Rutnagherry was delayed, the following letter was addressed to the Collector by the Assistant Agent in charge on the 6th November 1850, No. 510:—

"I have the honour to request that you will have the goodness to favour me with an early reply to the Murathee memorandum from this department, dated 22nd November 1849, No. 793, regarding the village of Kotlook, held by the late Balkrishna Gungadhur Kanuday."

8. To this the Collector of Rutnagherry sent a reply, No. 441 of the 22nd March 1851, which is transcribed below:—

"In acknowledging the receipt of your Assistant Mr. Newton's letter, dated the 6th November last, No. 510, I have the honour to refer you to my Murathee Yad of 19th instant, No. 420, being a reply to yours of the 22nd November 1849, No. 793, regarding the village of Kotlook, held by the late Balkrishna Gungadhur Kanuday."

9. From the above reply, it would appear that the Collector of Rutnagherry forwarded accounts of the village of Kotlook with his Murathee Yad dated 19th March 1851, No. 420, and on the succeeding day, viz. the 20th March 1851, Narayen Balkrishna Kanuday died, without male issue, as reported to Government by the Agent, Mr. Brown, in his letter No. 145 dated the 9th April 1851, and, consequently, the papers received from the Collector were placed on record.

10. Afterwards, Pandoorung Govind Joshee, the person referred to in paragraph 20 of the Inam Commissioner's letter, forwarded a petition to Government, which was referred for the report of the Agent under Government endorsement No. 4421 of 11th October 1852. The Acting Agent submitted his report, No. 378 of the 27th October 1852, to which the Government replied, in their Chief Secretary's letter No. 4765 dated the 2nd November 1852, that the petitioner had been referred to him, as suggested in the report. The petitioner accordingly made an application to the Acting Agent, to the effect that he had produced a certificate of heirship, and that orders might be given for payment to him of whatever was due to Narayen Balkrishna Kanuday. This application, however, was rejected on the 29th November 1852, on the ground that the person to whom it was determined to grant a pension was dead, and that there appeared no reason to pay to the petitioner, on the authority of the certificate of heirship, the arrears which were due to the deceased.

11. In column 15 of entry No. 3 in the revised List No. 4, the amount of annual pension due to Abbajee Rao Katey, mentioned in column 5 of the above entry, was shown to be Rs. 348-13-0, but this amount was reduced to Rs. 266-6-2¼ according to subsequent accounts.

12. In column 15 of entry No. 5 of the said list, the amount of annual pension due to Mahomed Esuf and Goolam Hoossein, mentioned in column 5, was shown to be Rs. 1,495, but this amount was reduced to Rs. 1,076-2 6½ according to subsequent accounts.

13. In case No. 6 of the same list, the amount of annual pension was entered in column 15 as Rs. 2,971-8-0, which was subsequently reduced to Rs. 2,197-15-7.

14. In calculating the amount of pensions entered in List No. 4, the expenses of collection, &c. were, it appears, not deducted, and, consequently, fresh accounts were called for from the several Collectors, on receipt of the Government letter of 13th August 1849, No. 3471.

15. In paragraph 27 of the Government letter of 13th August 1849, the Acting Agent was directed to furnish the Collectors of Poona, Ahmednuggur, Khandeish, and Sholapore with the requisite instructions for giving effect to the orders of the Honorable Court, and to furnish those officers with such extracts from the Surinjam lists as respectively concerned them. This was, I apprehend, the reason why the Government decision in the case of Narayen Balkrishna Kanuday was not communicated to him.

16. The agreement which is the subject of paragraphs 22 to 31 of the Inam Commissioner's letter, and which is herewith returned, purports to have been executed by Narayen Balkrishna Kanuday in favour of one Vittul Pandoorung Kawutkur, on the 23rd August 1849. Bapoo Gooroojee, who is alleged to have been a principal in the transaction, at one time held the situation of Karkoon in the office of the Agent, which he resigned on the 1st of November 1845. He was subsequently, however, entertained by Mr. Turquand in the Poona Duftur. His son, Mulhar Punt, was, at the time the agreement was entered into, employed in the Native department of the Agent's Office, and it is possible that he may have communicated the result of Narayen Rao's case to his father, who made a fraudulent use of the information. Of this I can procure no proof. I have communicated my *suspicion* to Mulhar Punt, which will, I hope, if he has been guilty of the breach of trust, render him more careful for the future. Bapoo Gooroojee was not a member of the Agent's establishment at the date of the execution of the agreement, and he has lately died while returning from a pilgrimage to Benares.

In conclusion, I respectfully beg to state that the course pointed out by the Honorable the Court of Directors in paragraph 10 of their despatch No. 3

dated the 1st March 1854 (received by the Agent with the Government letter No. 2776 dated 19th June 1854), will prevent these Khutput agreements being executed.

I have the honour to be, &c.

(Signed) R. Keays,
Agent.

Agent's Office, Poona, 18th October 1855.

No. 2638 of 1856.

Political Department.

To C. M. Harrison, Esq.,
Acting Agent for Sirdars in the Deccan.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of Mr. Keays' report, No. 396 dated the 18th October last, on the Surinjam of the late Narayen Balkrishna Kanuday.

2. His Lordship in Council has already decided that the legal representative of the late Narayen Balkrishna Kanuday is entitled to the arrears of the pension due to that person, calculated at half the net value of the village of Kotlook, and to no more. This decision should, therefore, be carried into effect, and the arrears be paid to such person as shall, in accordance with the Regulations, prove himself to be the legal representative.

3. The explanations afforded by the Agent relative to the circumstances brought to the notice of Government in connection with Bapoo Gooroojee, and his son, Mulhar Punt, the one formerly, and the other at present employed in the Agent's establishment, are not satisfactory.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 21st May 1856.

APPENDIX X

No. 935 of 1855.

POLITICAL DEPARTMENT

From Captain T. A. COWPER,
Inam Commissioner Northern Division,

To H. L. ANDERSON, Esq.,
Secretary to Government, Bombay.

Dated Poona, 30th August 1855.

SIR,—I have the honour to submit a report upon the claim of the Nigray family and others to hold in Surinjam the village of Kethoor, in the Ahmednuggur Collectorate; a separate report on their claim to the village of Gooloonchch, in the Poona Collectorate, shall be hereafter submitted.

2. In the lists of the Surinjams which at the introduction of British rule Mr Elphinstone proposed to continue, the Surinjam of the Nigray family, consisting of the village of Gooloonchch, in the Poona Collectorate, and of the Jagheer Umul of Kethoor, is entered in the name of "Khunde Rao &c. Nigdé," as having been fifty-two years in their possession, and with the remark—"May be reduced on his death."

3. Mr. Chaplin's register of restored Surinjams, which was submitted to Government on the 28th October 1822, shows the Jagheer Umul of Kethoor to have been actually restored to "Peerajee Neegdey, son of Eshwunt Rao Neegdey and Khundey Rao &c. Neegdey."

4. In the Deputy Agent Mr. Warden's list the Surinjam was entered, as a grant of A. D. 1768, in the name of "Khundee Rao and Peerajee Nigday."

5. Subsequently to this, the Surinjam was resumed, in consequence of the death of the two persons named in Mr. Chaplin's register, Kundeh Rao and Peerajee, pensions being granted to their families. It is not, however, necessary further to advert to this, as the present inquiry is merely to ascertain how the holding should be treated under the latest orders issued by the Honorable Court of Directors, who in the 19th paragraph of their political despatch No. 17, dated the 26th October 1842, directing new lists of Surinjams to be prepared, referred to the Surinjam of the Nigray family in the following terms:—

"The fifth case is that of Khundy Rao and Peerajee Nigday, two brothers in whose names a Jagheer of Rs. 2,265 was held, although for the

benefit, as it would appear, of a much greater number of individuals. In your letter you state that this has been resumed, and a pension equal to half the annual value granted to the heirs. It is not clear to us that this statement is consistent with the past, for though the letter of your Secretary to the Collector of Poona, dated the 4th of February 1840, says that the 'pension' is to be granted to those only whose names appeared in Mr. Warden's list, from which we should infer that the whole Jagheer had been resumed, yet the same document also states that the sons of the late Khundy Rao and Peerajee Nigday are to receive a pension equal to one-half of the value of the shares enjoyed by their fathers; which expression would imply that only the shares so enjoyed had been resumed, and that they formed but a small portion of the total Jagheer. The division of the Jagheer into numerous shares appears to have been a condition of the original grant, and each individual who was a shareholder when we took possession of the country is entitled to be considered as a separate Jagheerdar. The grant is dated 1768, and the Jagheer is entered in Mr. McDonnell's (or in other words in Mr. Elphinstone's) list as for life only. We shall, therefore, approve the continuance of each share during the life of the original shareholder, and of the grant of a pension equal to half its value to the next heir."

6. Government, in communicating the foregoing orders to the Agent for Sirdars, observed, in paragraph 9 of their Chief Secretary's letter No. 994, of the 9th May 1843,—

"With reference to the 19th paragraph of the despatch from the Honorable Court, I am desired to request that you will submit to Government a list of the individuals who have been recognised as sharers in the joint Surinjam held by Khundey Rao and Peerajee Nigdee, and state the value of each share. In submitting this information, you are requested to report which of the recognised sharers in this Surinjam are now dead, and whether any *direct* heirs survive them. On the receipt of this information, such instructions will be furnished to you as may be requisite for giving effect to the orders of the Honorable Court on this subject."

7. In the lists subsequently prepared by the Agent for Sirdars, Mr. Warden, and submitted by him to Government on the 29th December 1844, the village of Kethoor was entered as shown in the statement following.

STATEMENT

EXHIBITING THE

SURINJAM OF THE NIGRAY FAMILY.

Number.	Names of Original Grantees.	Names of first British Grantees & Co-sharers.	Soobha in which the Surinjam is situated.	Name of the Village comprising the Surinjam.	Estimated Annual Value of each Village.	Date of Original Grant, as ascertained from Sunuds and Records.	Ages of the first British Co-sharers now surviving.
1	2	3	4	5	6	7	8
					Rs. a. p.		Years.
2	1. Mhadowjee. 2. Ashrojee. 3. Rughojee. 4. Madhowrao. 5. Peerajee. 6. Jogajee. 7. Janrao. 8. Mankojee. From 1 to 6 Nigde family; 7 and 8 Nimbalkur.	1, Kundeh Rao bin Moorar Rao.	Ahmednuggur.	Katoor.	1,021 9 1	A. D. 1800.	....
		2, Jyswunt Rao	......	......	......	......	50
		Gunput Rao	......	......	......	......	35
		And their Nephew Neelkunt Rao..	......	......	......	......	35
		3, Rughojee bin Baboorao	......	......	......	......	....
		4, Madhow Rao......	......	......	......	......	70
		5, Peerajee	......	......	......	......	....
		6, Jogajee	......	......	......	......	40
		7, Rajee, and........	......	......	......	......	35
		Nathajee	......	......	......	......	32
		8, Mankojee	......	......	......	......	80

Names of the Sons of the first British Co-sharers, and their Ages.	Grandsons of the first British Co-sharers, and their Ages.	The number of Generations entitled to hold the Share before accepting half the net Proceeds of such Share as Pension.	Annual Private Income of the Family.	Amount escheated to Government for want of Heirs.	Remarks.
9	10	11	12	13	14
Years.	Years.		Rs.	Rs.	
Chimajee Rao, 52	Gunput Rao, 28	......	....	....	The heir of Kundeh Rao is entitled to a pension equal to half the amount escheated.
Nathajee, 45	Vittul Rao, 25; Raojee, 11; Dajee, 9 } Sons of Nathajee.				
....	Malojee, 12; Pandoorung, 7 } Sons of Raghojee, deceased.				
Raojee, 28; Babajee, 25; Jawajee, 12 } Sons of Jywunt Rao. Ashrojee, 12 } Son of Gunputrao. Madhowrao, 14; Mansingrao, 11; Dhondjee, 5 } Sons of Neelkunt Rao.	....	1	....	....	
Nathajee, 50	Mansing, 20; Anundrao, 15; Tookaram, 11 } Sons of Nathajee.	......	....	....	The heir of Rughojee is entitled to a pension equal to half the amount escheated.
Ram Rao, 45	Wamun Rao, 25; Madhowrao, 23; Krishnajee, 21; Hurjee Rao, 19; Govind Rao, 17; Kundeh Rao, 15 } Sons of Ram Rao.				
Narayen Rao, 30	Geanojee, 8 years, son of Narayen Rao.				
....	....	1	....	....	
Yeshwunt Rao, 30 .... Abbajee Rao, 28	....	......	....	....	The heir of Peerajee is entitled to a pension equal to half the amount of the escheat.
Wittul Rao, 23 .... Raojee, 11 .... Dajee, 9	....	1	....	....	
4 sons, names unknown ...... 1 son, name unknown	....	1	....	....	
Vittul Rao, 36 years	Gunput Rao, 22 years, son of Rajee, deceased. Mankojee, 7 years, son of Vittul Rao.	1	....	....	

8. Mr. Warden in the 18th paragraph of his letter No. 225, which accompanied the lists, submitted the following explanation and recommendation :—

"The case of the family of Nigdé, adverted to in your 9th paragraph, is as follows :—A large body, bearing the surname of Nigdé, is said to have formed part of the Peshwa's army in an expedition against Hyder Ali, of whom fifteen were killed and forty wounded in the campaign, and the village of Gooloonchch was granted to the whole family as a reward for their services, and compensation for their losses. To this was added, in favour of eight members of the family, in A. D. 1800, the village of Kethoor. The deed of release granted by the British Government is in the name of Peerajee and Khunday Rao 'Nigdé &c. Nigdé people,' and forty persons are said to share the proceeds, of whom six are not Nigdés. The first grant bears date A. D. 1768, and the second A. D. 1800, so that one should, according to the Rules, be held for two generations, the other for one. The annexed statement, marked N, exhibits the sub-divisions of this grant, and contains all the information called for in your 9th paragraph; and considering the peculiarity of the origin of the grant, and that the manner in which it is now held renders it almost impossible to carry the Rules through so many ramifications, I am disposed to recommend that the Surinjam be included in Class I., and I have inserted it, accordingly, in list No. 7 of estates in respect to which exceptions to the Rules are proposed. The only other plan for this case that suggests itself is that the Collector should compound with each of the co-sharers to receive such pecuniary allowance for one, two, or three generations, as may by the Surinjam Rules be equivalent to his claim in these villages, three-fifths of the proceeds of which (viz. the revenue of Gooloonchch) are alienated for two generations, the moiety extending to the third, and two-fifths (viz. Kethoor) being liable to resumption at the close of one generation, with the reversionary title to the moiety as pension."

9. On the revision of Mr. Warden's lists by his successor, Mr. Brown, no alteration was made in the entry regarding Kethoor, Mr. Brown merely observing in paragraph 46 of his transmittory letter No. 178, dated the 26th October 1847,—

"I beg to transmit extract paragraph 18 of Mr. Warden's letter dated 29th December 1844, handing up his revised list, in which the Nigdé family have been prominently brought to notice."

10. The Honorable Court, in paragraph 18 of their political despatch No. 15, dated the 22nd May 1849, in according a general sanction to the revised lists, rejected the proposal to declare the Surinjam of the Nigray family hereditary, which had been made by Mr. Warden, and observed,—

"No. 3 is the case of the Nigdé family, which has been adverted to by us in previous letters. This Surinjam (value Rs. 2,506) having been granted to the family as a reward for their services and sufferings in the campaign against Hyder Ali, is now held by a great number of shareholders, and the only reasons assigned for continuing it on hereditary tenure are 'the peculi-

arity of the origin of the grant, and that the manner in which it is now held renders it almost impossible to carry the Rules through so many ramifications.' (Paragraph 18 of Mr. Warden's letter of 29th December 1844, handing up his lists, concurred in by Mr. Brown.) These are not sufficient reasons for perpetuating a tenure which from its minute sub-division is probably oppressive to the Ryots and of little value to most of the possessors, and we prefer the other course conditionally suggested by Mr. Warden, that the Collector should endeavour to compound with each of the present sharers to receive a pecuniary equivalent for the interest to which he is entitled under the Rules."

11. Much correspondence between the local authorities took place in endeavouring to carry out the suggestions of the Honorable Court. In some cases pensions were granted, and in others objections were made on the part of several members of the Nigray family, who were said to be the actual cultivators of the land composing their respective shares. With reference to these arrangements, the Honorable Court observed in paragraph 4 of their political despatch No. 27, dated the 18th May 1853,—

"5. Further proceedings in the case of the Nigdé family.

"In consequence of the minute sub-division of the Surinjam of this family, we directed that a composition should, if practicable, be made with each sharer for a pecuniary equivalent. It now appears that a great portion of the sharers are themselves Ryots, and cultivate their own Jagheers. With these an arrangement may easily be made by a simple remission of assessment during the remaining term of the Surinjam tenure. With respect to such sharers as are not cultivators, it appears desirable to make a composition with them which may terminate altogether their connection with the land."

12. Meanwhile, however, Government had been apprised by the Inam Commissioner, Mr. Hart, of circumstances tending seriously to impugn the accuracy of the revised lists, which were, in consequence, ordered to be tested, and in the course of the inquiry which was then instituted, the following letter (Captain Cowper to the Inam Commissioner, No. 135, of the 18th March 1853) regarding the Surinjam of the Nigray family was submitted for the orders of Government:—

"I have the honour to request the orders of Government to my calling upon each member of 'the Nigray family' to prove in person the title under which he holds his share of the Surinjam entered in a separate statement, forming one of the revised Surinjam lists submitted to Government, under date the 26th October 1847, by the Agent for Sirdars, Mr. Brown.

"2. There appear to me in this case to exist not only *primâ facie* grounds for inquiry, but reasons for believing that fraud has been purposely and more than once committed, inasmuch as within the last fifteen years three genealogical trees have been furnished on three different occasions, each differing from the others, and each more or less incorrect.

"3. To carry out the orders of the Honorable the Court of Directors (paragraph 18 of the Honorable Court's despatch No. 15, dated the 22nd May 1849) it is necessary to ascertain to whom the original grant was made; whom of the original grantees, or of their lineal descendants, were in possession of each share at the introduction of the British Government; and whom of the holders at the introduction of the British Government, and of their lineal descendants, are now alive.

"4. A statement in this case was called for by me under the instructions contained in the 4th paragraph of the Chief Secretary's letter No. 4175, of the 24th September last, and has been furnished by an Agent; but it is entirely worthless and incorrect. It does not seem to me possible to conduct this inquiry by proxy, and the Nigrays, too, will probably, as a last resource, disown the statements made by their agent; so that, under all the circumstances, I have solicited sanction to my calling on each shareholder to attend in person to prove his pedigree, as the only method of arriving at a final decision.

"5. The determination to evade inquiry, and to withhold from Government the information on which alone a decision can be arrived at, seems to me in this case so evident that I solicit the orders of Government to my calling upon the Collector at attach the shares of any members of the family who may fail to afford within one month, or such longer period as may be found reasonable in any particular case, the information required to enable me to report on this Surinjam."

13. The proposals contained in the letter quoted in the last paragraph were sanctioned by Government in their Political Secretary's letter No. 1791, dated the 25th April 1853, and the measures thus sanctioned were approved of by the Honorable Court, who in paragraph 4 of their political despatch No. 55, dated the 12th October 1853, observed,—

"Further proceedings in the case of the Nigdee family.

"Captain Cowper being of opinion that further inquiry is necessary in this case, you have very properly authorised him to call on each member of the family who claims a share of the Surinjam to appear in person, for the purpose of proving his pedigree."

14. The following is the history of this grant:—

The Jagheer Umul of the village of Kethoor was granted by a Sunud issued on the 26th April A. D. 1801, by Ballajee Koonjur, at that time holding the Peshwa's seal (Mootalikee), as personal Surinjam (Jatee ché Tynat), to the eight persons below named:—

1. Mhadojee Nigray.	5. Peerajee Nigray.
2. Ashrojee ditto.	6. Jogajee ditto.
3. Rughojee ditto.	7. Janrao Nimbalkur.
4. Madhowrao ditto.	8. Mankojee ditto.

15. These eight shares at the introduction of the British Government are shown in the revised lists to have been in the hands of—

1. Kundeh Rao bin Morar Rao.
2. Jywuntrao and Gunputrao, the younger sons, and Neelkunt Rao the son of Mansing, the eldest son of the original grantee, Ashrojee.
3. The original grantee himself, Rughojee.
4. Ditto ditto Mhadowrao.
5. Ditto ditto Peerajee.
6. Ditto ditto Jogajee.
7. Rajee and Nathajee, the sons of the original grantee, Janrao Nimbalkur.
8. The original grantee himself, Mankojee.

16. The revised lists appear to have been incorrectly framed in respect to the first, second, and sixth shares, and probably in respect to the seventh share also; inasmuch as the first had lapsed altogether by the extinction of the line of the original grantee; the second ought to have been entered, like all other Surinjams, in the name of the eldest member of the eldest branch only, Neelkunt Rao, the son of Mansing, the eldest son of the original grantee; the sixth share appears also to have lapsed long ago, and to have been improperly entered in the lists under the circumstances hereinafter explained; and the seventh there seem grounds for believing to have been held at the introduction of British rule by the original grantee, Janrao, and not, as stated in the revised lists, by his sons.

17. With regard to the first share, which at the introduction of British rule had lapsed, it seems to be merely a question whether the pension (Rs. 17-8-4) now paid to the sons of Kundeh Rao, who, having no claim whatever to any share of Kethoor, obtained the insertion of his name in the original order of release, should be continued or not. The whole case has been so wilfully mystified and misrepresented that I am not able to recommend the concession of any favour whatever, and think, therefore, that this payment should be at once stopped.

18. The second share should, it appears to me, be treated as all other Surinjams have been treated, in which case the whole pension (Rs. 44-2-6) will be continuable in the name of the eldest branch, Neelkunt Rao, and at his death half to a second generation.

19. The sixth share (Rs. 44-2-6) is the one granted to Jagojee, represented in the revised lists as alive, but subsequently declared to be identical with Nathajee, shown in the revised lists as the then (in 1847) joint holder *of the first share.* Not a word, however, of explanation to this effect was afforded to Government in the lists or anywhere else; on the contrary, the names of Nathajee and Jogajee were inserted in such a manner as to render inevitable the inference that they were separate and distinct individuals; and, added to this, their ages were shown to be different, that of Nathajee being entered as forty-five, and that of Jogajee as forty years. In each case three sons of the same name

were entered, but while the age of Vittul Rao, the eldest son of the individual shown as Nathajee, was entered as twenty-five, that of Vittul Rao, the eldest son of the individual shown as Jogajee, was entered as twenty-three years.

20. In short, as far as I have been able to ascertain in regard to this and the many other palpable discrepancies in this case, to represent fairly which would have led to their immediate detection, every effort appears to have been made to confuse, and thereby mislead.

21. The most probable supposition seems to be that of Jogajee having died without male issue, during the Peshwa's rule. There do not appear to be any means of proving this, and all my endeavours to obtain correct information from Appajee Rao bin Morar Rao, the eldest surviving member of the Nigray family, who is upwards of eighty years of age, have failed. He has been guilty of such palpable falsehoods in his statements regarding other matters that it is impossible to rely on anything he has said, and I propose, in hereafter reporting on the claims to the village of Gooloonchch, to bring this specially to the notice of Government, with a view to his being punished.*

22. However, the date on which the grant was made leads strongly to the conclusion that the person now said to bear the two names of Jogajee and Nathajee could never have been, as is asserted, the original grantee, for his age in 1843 was, as already explained, shown in the revised lists in one place as forty, and in another as forty-five years; while, assuming the former to be correct, he could not have been born in A. D. 1800, when the Sunud granting him a share in the village was issued; and admitting him to have been in 1843 forty-five years of age, the grant must have been made to an infant of two years old,—a supposition quite at variance with the wording of the Sunud, which declares the grant to be on account of *the salary* (Budul Mooshahira) of the persons named; whereas grants made by the Peshwas' Government to infants, though by no means unusual, were invariably designated as such (Bal Purwurshee). But that it *could* not have been a grant of this description, made to the person *now* declared to be Jogajee, is proved by the fact of his father, Kundeh Rao, having been alive, not only then (in A. D. 1801-02) but for many years after the introduction of British rule.

23. The Collector of Ahmednuggur, before paying the several shareholders named by the Agent, Mr. Brown, brought to that officer's notice, under date the 7th October 1851, that he (the Collector) had been informed by the Agent of the Nigray family that Jogajee, entered in the revised lists as the original grantee, and then (in 1847) holder of the sixth share, and Nathajee, entered as the then joint holder of half of the first share, "are one and the same person, being the son of Kundeh Rao."

24. The facts I have already explained were certainly quite sufficient to have rendered careful inquiry requisite, when the attention of the Agent for Sirdars was thus pointedly drawn to an irreconcilable discrepancy which had never been even alluded to by the Agent for the Nigray family during the

* Since this was written Appajee Rao has died.

several lengthy inquiries recorded before Mr. Warden in 1843, and again before Mr. Brown in 1847. No inquiry whatever was, however, made, and the Collector's letter was on the 14th of the same month (October) thus replied to by the Agent for Sirdars:—

"In reply to your letter No. 2478, dated the 7th instant, I have the honour to state that if your information, on inquiry, should prove correct, that Jogajee and Nathajee, occupying two different places in the statement N of the Nigdeh family, are one and the same person, I think the best way in which the claim should be settled would be this,—

"That Jogajee should get one-eighth, or Rs. 44-2-6, and Chimnajee alone should get one-half of one-eighth, or Rs. 17-8-4, without his brother Nathajee (who is said to be Jogajee) participating in it."

25. The seventh share, which was granted by the Peshwa to Janrao Nimbalkur, is held by his two sons, as the alleged first British grantees. They have, however, themselves now declared before me that their father died after the introduction of British rule. In how far this really is the case I have been unable to ascertain with certainty, owing to *every document* likely to disclose the truth having been carefully, and hitherto successfully concealed and withheld.

26. Under these circumstances, I would recommend the attachment of the seventh share (Rs. 44-2-6), and that in the event of the non-production before me within two months of satisfactory proof of the death of Janrao during the Peshwas' rule, and of the whole of the village and other accounts of the present Government required to test this, the present claimants should be treated as the second generation from the conquest, and the pension to be paid to them calculated and adjusted accordingly.

27. I should have recommended the stoppage altogether of the seventh share, did not the claimants appear to be very little to blame in the matter. In this, as in everything else connected with the previous inquiries regarding this case, the principals have never come forward, nor have they until now (see paragraphs 12 and 13 of this report) ever been desired to do so, everything having been done through a Brahmin agent, the truth of whose assertions seems to have been taken for granted, although they were made under circumstances peculiarly suggestive of the necessity of most careful scrutiny; for having once ascertained that the holding had been recommended (see paragraph 8 of this report) by the Agent for Sirdars for hereditary continuance, on the score of the difficulty of tracing its history, the interest of the agent of the claimants in increasing that difficulty became as direct as obvious.

28. But I am unwilling to recommend the adoption of severe measures towards the claimants themselves, as they seem to have been the mere tools of their agent, Vittul Chintamun, and to have been victimised by him to an extent scarcely credible. Their case has long been a bye-word in Poona, where Vittul Chintamun has always been understood to have received, *for his*

own use, every farthing of the large arrears (amounting to *twelve thousand two hundred and sixty-seven rupees, seven annas, and seven pies*), the payment of which on account of both of the villages comprising the Surinjam was authorised under the sanction accorded by the Honorable Court of Directors to the revised Surinjam lists. I heard of this long ago, but could scarcely credit it, though I felt no difficulty in believing that advantage had been taken of the ignorance of the claimants, who are uneducated Murathas, unable for the most part even to write their names. There is, however, every reason for believing such to have been the case, as an agreement,* which is still in existence, and has been produced before me, was on the 9th January 1849 regularly executed on stamped paper, and by this document the members of the Nigray family bound themselves to pay to Vittul Chintamun the whole of the arrears then due,—that is to say, arrears for upwards of nine years, amounting to more than Rs. 9,000, and, besides this, to grant him land in their village of the annual value of Rs. 75.

29. I do not know whether such an agreement as this one would be upheld in a civil court, though from what the Agent for Sirdars, Mr. LeGeyt, informed Government in paragraph 3 of his letter No. 429, of the 12th August last, I suppose that it would be considered a legally binding document. Government, in the case to which I have just referred, intimated (paragraph 3 of the Chief Secretary's letter No. 3969, of the 13th September 1853) that the legality of the description of bonds alluded to by Mr. LeGeyt was under consideration, but no further orders have been received. It must, doubtless, be difficult, but should it be possible effectually to discourage bargains of this nature, to do so would go very far towards disabusing the ignorant and most numerous classes of the community of a prevalent belief not more erroneous than prejudicial to good government.

30. Should Government concur in the recommendation herein submitted, the following will be the arrangement to be made regarding the several shares of this Surinjam, the amounts of which were fixed by the Agent for Sirdars in his letter to the Collector of Ahmednuggur, No. 483, dated the 21st October 1850:—

The payment of Rs. 17-8-4 on account of the first share, at present made to Chimnajee and Nathajee Nigray, as the second generation, will at once cease. (See paragraph 17.)

The second share, of Rs. 44-2-6, will be continued until the death of Neelkunt Rao Nigray, when half of it will be continuable on the usual terms to a second generation. (See paragraph 18.)

The third share, of Rs. 17-8-4, will be continued to the present reci-

* Since this paragraph was originally penned, the agreement has been either mislaid in or stolen from the Inam Commissioner's Office, and has not yet been found.

(Signed) T. A. Cowper, Captain,
Inam Commissioner N. D.

pients, Nathajee, Ram Rao, and Narayen Nigray, as the second generation, one-third of the amount lapsing at the death of each of them.

The fourth share, of Rs. 44-2-6, will be continued to Madhowrao Nigray, as the first generation, and at his death half of it will be continuable for one more life, should he leave male issue.

The fifth share, of Rs. 17-8-4, at present in the hands of Yeshwunt Rao and Abajee Nigray, as the second generation, will lapse at their death,—one-half at that of either of them.

The payment of the sixth share, of Rs. 44-2-6, which appears to have long ago lapsed, and to have been continued owing to palpable misrepresentation and fraud, will at once cease. (See paragraphs 19 to 24.)

The seventh share, of Rs. 44-2-6, at present enjoyed by Rajee and Nathajee Nimbalkur, as the first generation, will be attached, and only released in the event of their satisfactorily proving within two months the death of their father Janrao during the Peshwas' rule, failing which one-half of the share will be continued to them as the second generation, lapsing in equal proportions on the death of either of them. (See paragraphs 25 and 26.)

The eighth share will be continuable to Mankojee Nimbalkur as at present, as the first generation, and at his death half of it for another life, should he leave male issue.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

No. 2598 of 1856.

Political Department.

From H. L. Anderson, Esq.,
Secretary to Government, Bombay,

To Captain T. A. Cowper,
Special Commissioner, in Charge Alienation Department.

Dated 20th May 1856.

Sir,—Referring to your report, No. 935, dated the 30th August last, upon the claim of the Nigray family and others to hold in Surinjam the village of Kethoor, in the Ahmednuggur Collectorate, I am directed to inform you that the Right Honorable the Governor in Council approves of the holdings in that village being arranged as suggested in the 30th paragraph of your letter, and to request that you will cause effect to be given to this decision.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 20th May 1856.

APPENDIX Y

No. 651 of 1852.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, 22nd December 1852.

Sir,—A perusal of the records of the Deccan Commissioner, lately transferred from the Agent's to this department, has placed me in possession of information regarding the pensions included in the list now under examination by me, which leads me to believe it probable that with regard to some of these proposed grants past proceedings may have in a measure escaped the recollection of the Court of Directors and the Government; for if I place a right construction on these proceedings, they offer a serious obstacle to the recognition of hereditary title in any of the cases under consideration.

2. The first letter regarding these claims which it is necessary specifically to notice, is one dated the 23rd August 1823, from the British Resident at the Court of the Nizam (Sir C. Metcalfe) to the Supreme Government, in reply to their order previously received and thus referred to :—

> "I am commanded by your letter of the 18th ultimo to make a representation to Raja Chundoo Lall, stating that as we have provided for the Jagheerdars in the territories now annexed to our dominions, the British Government naturally expects that a similar indulgence should be shown by the Government of His Highness to those who have been transferred to him."

The Jagheerdars here referred to as having been transferred to the Nizam were those whose Jagheers had been made over to that prince by the Treaty of the 12th December 1822, and regarding whom a good deal of previous correspondence between the Commissioner in the Deccan and the Resident at Hyderabad is on record, but not necessary further to advert to, as it does not at all affect the question which I am about to submit.

3. Sir C. Metcalfe's letter of the 23rd August argues against the expediency or justice of forcing the Nizam to provide for these Jagheerdars, whose

claims are represented as being properly against the British Government, *if against any party.* A list of the claims was at the same time forwarded to the Supreme Government, showing the amount claimed as upwards of *one lakh and eighteen thousand rupees.*

4. The Supreme Government replied to the above letter on the 14th November 1823, and briefly assigned reasons for differing with the Resident, and for considering that the payment should fall upon the Nizam. This opinion of the Supreme Government must, however, be placed on one side, as it was shortly afterwards entirely withdrawn, having been found to have been formed on "a confused and mistaken view of the real merits of the case"; and I merely advert to it here to render the narrative a connected and intelligible one, and because the letter itself is of importance, as containing an expression of the Governor General's opinion that the claim of the Jagheerdars to compensation *from any quarter* was a doubtful one. It was observed,—

> "After all, however, the Governor General in Council cannot suppose the pretensions advocated by the Commissioner in the Deccan to possess any peculiar weight, since, had such been the case, apparently either their Jagheers would not have been resumed by our own officers, or some specific provision would have been made for them during the interval which elapsed between the conquest of Bajee Rao's territories and the completion of the arrangements for the transfer of the changed districts to the Nizam."

5. The whole of the above correspondence was on the 14th November 1823 forwarded by the Supreme to the Bombay Government, with a request that it might be communicated to the Commissioner in the Deccan, the Resident at Hyderabad having been previously informed that such a course would be adopted, and having been at the same time desired to continue to correspond on the subject with the Commissioner. No further correspondence, however, did take place between these two functionaries, as the question was discussed through the channel of the respective Governments.

6. The Commissioner in the Deccan (Mr. Chaplin), when made acquainted with the views and opinions of the Supreme Government and of the Resident at Hyderabad, proceeded on the 6th March 1824 thus to express his own sentiments:—

> "As some misconception seems to me to have arisen in respect to the nature of the claims of the individuals in question, I cannot reconcile it to myself to allow the matter to pass over unnoticed, and hope for the indulgence of Government whilst I proceed to place their cases in what appears to me to be their proper light."

The misconception adverted to was one entertained both at Hyderabad and Calcutta, that the Jagheerdars' claims were on the old dominions of the Nizam,

whereas Mr. Chaplin now explained them *to bear exclusively* on the Chouth formerly belonging to the Peshwa, but entirely made over in free gift to the Nizam by Article II. of the Treaty of the 12th December 1822.

7. Mr. Chaplin further explained that the whole of the Jagheerdars' claims on the Chouth amounted to *about five lakhs of rupees*, out of which he proceeded to *select* claims amounting to about *forty thousand rupees*, and to assign reasons for strongly recommending that the Nizam should be called upon to pay this latter amount. This selection was explained as follows:—

"It now only remains to account for the smallness of the present demand, when compared with the total amount stated to have been held by persons of this description. For this purpose I have had a statement prepared, exhibiting the names of the holders, the amount enjoyed by each individual, and the provision subsequently made for those whose possessions formed a part of the five lakhs. It should be observed, however, that these persons, being adherents to the Peshwa, held, in the greater number of instances, large Jagheers, &c. in his more immediate dominions, which being resumed, their reduced circumstances were taken into consideration by our Government, and an adequate maintenance made for them, as will appear from the statement."

8. I have already stated in paragraph 3 that the claims of the Jagheerdars at first put forward and recommended for liquidation amounted to upwards of *one lakh and eighteen thousand rupees;* this sum Mr. Chaplin reduced, as shown in the last paragraph, to about *forty thousand rupees*, and thus explained his reason for doing so:—

"In making this demand it may, in consideration of the financial embarrassments of the Nizam's Government, be desirable to limit it as far as possible, and I have, therefore, again inquired into the circumstances, condition, and title to consideration of each individual, and beg to submit the accompanying list [amounting to Rs. 40,340] of those whose claims, in my opinion, merit particularly the intercession of our Government in their behalf."

9. Sir C. Metcalfe was made acquainted with Mr. Chaplin's recommendation, and on the 5th June forwarded a despatch on the subject, characterised by the Government of India as a "highly able, comprehensive, and perspicuous exposition of this hitherto ill-understood question." Nearly the whole of the Resident's letter is devoted to an elaborate and strongly expressed exposition of the injustice and inexpediency of calling upon the Nizam to comply with *even Mr. Chaplin's modified recommendation* (vide paragraph 8); and this is a subject with which my present reference has nothing to do, but there are some incidental allusions to the *validity of the claims themselves*,

and to circumstances bearing on their validity or otherwise, which, as coming from so able a man, and as having been cordially concurred in by the Supreme Government, cannot be omitted.

10. Article X. of the Treaty of the 12th December 1822 is quoted at length by the Resident, and I here allude to it because it shows that as regards the cessions made to the Nizam, *Inams* were disposed of under rules obviously equitable and considerate, but actually *less favourable* to the former holders of them than those which in some cases it is proposed to apply to *Surinjams*, or—what amounts to the same thing—to pensions granted in lieu of them. Article X. provides that Inam grants shall be respected by the Nizam's Government, "provided those grants shall have been in force at the breaking out of hostilities with the Peshwa in the month of November 1817, and that the holders of them shall have performed the conditions prescribed in Mr. Elphinstone's proclamation dated the 11th February 1818."

11. With regard to these Inams, which were guaranteed, Sir C. Metcalfe in a subsequent portion of this despatch states :—

> "At an early period, Mr. Elphinstone informed Mr. Russell that Inams, Wutuns, and Wurshasuns were to be continued in the territory acquired by the Company, unless the owners had adhered to the Peshwa as late as the 12th April 1818, and recommended the same rule for adoption by the Nizam."

These are the "*less favourable terms*" alluded to in my last paragraph: they are considered less favourable because it is presumed that the Nizam has certainly not conceded *more* than Mr. Elphinstone recommended, while *it is a fact* that some of those recommended for pensions *now* proposed to be declared *hereditary* did not make their appearance until long after the 12th April 1818.

12. The 20th paragraph of the Resident's letter I quote entire; it contains what seems to me an exceedingly strong argument against insisting on the recognition of the Jagheerdars' claims by the Nizam, but which argument I take to be just as applicable to the recognition by the British Government of the *hereditary title* of the claimants; and I cannot see how the grant of *hereditary* pensions in commutation of any portion of these claims can escape the construction of a recognition of title, the extension of which to the enormous remaining mass of claims of a precisely similar character it would apparently be difficult, if not impossible to refuse under any rules, or on any grounds otherwise than arbitrary ones. Sir C. Metcalfe's 20th paragraph is as follows :—

> "The claims now advanced by Mr. Chaplin are less than a twelfth of the whole amount of the Chouth Jagheers. They are selected arbitra-

rily—that is, by our own will, without reference to the Nizam—from the mass of Jagheer claims on the Chouth. If we are warranted by the Treaty in insisting on these, we might insist on more. In fact, these claims, when last brought forward by Mr. Chaplin, were stated at an amount nearly treble of the present total to which they have been reduced at his sole pleasure and discretion. But the original total of these claims came to nearly the half of the whole Chouth,—the value of the Chouth was the only clear gain proffered to the Nizam in the Treaty. Is it to be supposed that in that Treaty he ceded back to us the right to deprive him of half of his acquisition without difficulty or demur, and even without mention of the cession? Yet such is the unavoidable conclusion if we contend that we have a right by Article X. of the Treaty to require from the Nizam any portion that we choose to fix of the Chouth Jagheers; for if we arbitrarily demand a portion, we must have an equal right to demand the whole, there being no stipulation in the Treaty to prevent us. If it cedes any, it cedes all; but I think it is clear that it cedes none."

13. The following passage, which occurs in the 23rd paragraph of Sir C. Metcalfe's letter, illustrates, I think, in a remarkable manner the difficulty which may arise, should an *hereditary title* be once recognised:—

"But Jagheers were excluded especially with regard to the Nizam's territories. For instance,—the Punt Suchew was one of the first of the Chiefs who left the Peshwa, on which account Mr. Elphinstone promised him his whole Jagheer, excepting his claims on the Nizam's country. The Jagheer claims of the Akulkote Raja in the Nizam's territory were also denied him on the same principle."

The above is, I think, under present circumstances, replete with significance, and I shall again more particularly refer to its possible application in a subsequent portion of this letter.

14. Sir C. Metcalfe took occasion to record his own sentiments on the propriety of the Jagheer resumptions. The opinion of a man of such ability and experience must be entitled to very great respect, even though opposed to that of Mr. Elphinstone. It was but partially, however, and on one point only that they differed, and that was not in regard to Jagheers; and to *Jagheers alone* is this reference confined. In the late discussions regarding the pension lists, and in the Court of Directors' observations regarding them, I can nowhere find a single allusion to the fact that the *resumption of the Chouth Jagheers was a general one*, and that it *continues so up to the present hour*,—the value of such resumptions being more than *five lakhs of rupees*. I now quote entire the Resident's 25th paragraph:—

"It might be asked why personal Jagheers were not reserved as

well as those other alienations of revenue called Inams. It is not incumbent on me to answer this question, as I am not responsible for the distinction. I am of opinion that Inams for the most part might have been resumed as well as Jagheers, and that it was not necessary to continue either; but it was determined by the proper authorities that the Inams should be preserved and the Jagheers resumed."

15. The last quotation which I have to make from this despatch is on the subject of the necessity or otherwise of making *any compensation at all* on account of the Chouth Jagheers. Sir C. Metcalfe thought the question a doubtful one, on *the authority of Mr. Chaplin himself*, and thus expressed his doubts in the commencement of the 72nd paragraph :—

"The first question to be decided is, whether any provision for these Jagheerdars be necessary or not. This seems doubtful : Mr. Chaplin has before declared, that if the Nizam chooses not to provide for them, it will not be incumbent on us to do so,—from which it would appear to be a matter of option."

I would here remark that what was then considered as of such doubtful necessity, and was afterwards conceded only at Mr. Chaplin's earnest solicitation and *in a few cases*, was merely a *temporary pecuniary provision*. Even the latter officer advocated nothing further than this, and this obviously afforded no precedent on which others could come forward with claims. It was an arbitrary distribution of the bounty of the Government to objects selected as the most requiring or the most deserving of it.

16. The Supreme Government acknowledged the receipt of Sir C. Metcalfe's despatch on the 25th February 1825, and, after passing the highest possible eulogium on the writer, expressed an entire concurrence in his views, and decisively relinquished all claim on the Nizam for the payment of compensation to the Chouth Jagheerdars. The Government despatch thus concluded, and the paragraph seems specially deserving of attention :—

"Neither does any obligation appear to attach to the Honorable Company to provide for the Chouth Jagheerdars, who have suffered by the events of the war in common with their late sovereign, Bajee Rao; but the final decision of this part of the question, of course, belongs to the Government of Bombay."

17. Sir C. Metcalfe's despatch of the 5th June, and the above decision passed upon it, having been duly communicated to the Government of Bombay, that Government on the 2nd April 1825 thus addressed Mr. Chaplin :—

"In continuation of former correspondence regarding the claims of the Jagheerdars who have been deprived of their possessions in His Highness

the Nizam's Dominions by the recent exchanges with His Highness, I have the honour to transmit to you copy of a despatch from the Secretary to the Supreme Government, dated the 25th February last, on the subject, and to request that you will be pleased to favour the Governor General in Council with your opinion whether any and what measures should be adopted by the British Government for indemnifying the Jagheerdars in question, under the decision now passed that they have no claim on the Nizam's Government."

18. On the 11th April 1825 Mr. Chaplin replied to the Bombay Government, as follows:—

"In reply, I have the honour to state that as hopes of obtaining compensation have from the first been held out to them, they ought, perhaps, to receive something, the amount of which will depend on the pleasure of Government. The enclosed list shows what I thought they ought to have received from the Nizam, and the least they ought out of humanity to get from us, though we are not absolutely bound to provide for them."

I would here solicit a reference to my 15th paragraph, in which I have explained the terms on which provision was at last made for *a few selected* Chouth Jagheerdars. The above quotation from Mr. Chaplin's letter shows, I think, that he had no intention of recommending anything based on an admission of *title* of any sort, much less an hereditary one.

19. Mr. Chaplin's proposal was sanctioned by the Bombay Government on the 25th April 1825, and so matters stood when the Court of Directors, in the 23rd paragraph of a despatch to the Government of Bombay, dated the 12th of April 1842, in reviewing some proceedings in regard to certain lapsed pensions, remarked as follows:—

"Your proceedings in these cases were in exact conformity to the provisions of the Poona pension lists. We are, however, not satisfied that the claims of pensioners whose allowances were granted in lieu of landed possessions were always duly considered in that list. In the case of Venkutrao Govind (the first case reported), the pension of Rs. 200 per annum 'was in lieu of personal Jagheer situated in the country ceded to the Nizam'; and in another case, that of Dulleel Khan, barbarously murdered recently in the Nizam's country, the pension was also 'in lieu of a personal Jagheer held by Imam Bhaldar,' father of the deceased. Whatever rules may be ultimately prescribed in relation to Jagheer lands should be extended to pensions granted in commutation of such lands. In most cases, no doubt, the claim to the land cannot have amounted to a hereditary right; otherwise, in the liberal arrangements made by Mr. Elphinstone, the land itself would have been continued instead of a pension. Yet this may not always have

been the case, especially when the land formed part of territory ceded to a Native prince, nor must it be forgotten that the cessions made to the Nizam were unaccompanied with the usual stipulations against the resumptions of Inams and Wutuns."

20. Under these instructions, lists were prepared by the Agent for Sirdars, who, on the 12th January 1844, in handing them up to Government, observed that it seemed "clear that the Court of Directors, in speaking of pensions in commutation for Surinjams, alluded only to those who, on the principles announced and acted on by the British Government, had just claims to Surinjams, which they lost in the adjustment of the territorial claims of British allies, or of which they were otherwise deprived by the British Government." Mr. Warden also pointed out that Inams and Wurshasuns *were* reserved by Article X. of the Treaty with the Nizam, and observed that this "would appear to have at the moment escaped the notice of the Court of Directors."

21. Mr. Warden's lists were subsequently, under orders from Government, revised by his successor, Mr. Brown, but the revision seems to have been almost a nominal one, but few alterations of consequence having been made, and those few not at all affecting the present question. These revised lists are now about to undergo a final scrutiny by this department, which, as organised for the express purpose and with special reference to the performance of such duties, has, of course, at its disposal means superior to any that have hitherto existed. Before, however, applying this test and finally reporting on each case, I deem it right to make this reference, as the circumstances above detailed, which have only very lately come to my knowledge, lead me to doubt whether the inquiry referred to in paragraph 19 was ordered with a full recollection of past proceedings, and whether Government or the Honorable Court of Directors have ever anticipated that claims to an enormous amount may be preferred by persons deprived of lands held by them on *precisely the same tenure* as that which it is now proposed shall confer an *hereditary title* to pension, or whether this has been anticipated and Government are prepared to negative all such claims.

22. I have only to add my belief that out of the Chouth Jagheers, amounting to Rs. 5,00,000, which were resumed, by far the greater portion would, on inquiry, be found to have been held at the breaking out of the war in A. D. 1817, and to have been granted by the Sattara Rajas previous to A. D. 1751.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 1570.

From W. Hart, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Dated Khandalla, 13th January 1853.

Sir,—With reference to your letter No. 4249, dated 1st October 1852, I have the honour of stating that the scrutiny of the supplemental pension lists to which it relates is proceeding; but as there is an important question connected with one class of pensions granted in lieu of resumed Surinjams,—which question, as a general one, seems to require the early decision of Government,—I would beg the attention of the Right Honorable the Governor in Council to the following circumstances, and to Captain Cowper's letter, No. 651, dated 22nd December 1852, herewith submitted.

2. The pensions to which this question relates are those which were granted in A. D. 1825, in lieu of Jagheers which had been charges on the Swuraj revenue ceded to His Highness the Nizam by the Treaty of the 12th December 1822.

3. The records of Government show that the whole of these Jagheers (which were generally spoken of as the Chouth Jagheers) were valued at Rs. 5,00,000, but that, after a very full and protracted discussion, (which lasted from A. D. 1823 until 1825, and in which the right of the dispossessed Jagheerdars to compensation was discussed by the Supreme Government and that of Bombay, as well as by Mr. Chaplin and Sir Charles Metcalfe,) the Government of India recorded as their opinion that no obligation attached either to the Nizam or to the Honorable Company to provide for the Chouth Jagheerdars who had "suffered by the events of the war in common with their late sovereign, Bajee Rao."

4. The Government of Bombay was left to form a final opinion on this point, and they did so by sanctioning a proposal by Mr. Chaplin that *a certain few* of the dispossessed Jagheerdars should be pensioned "*for life.*"

5. A reference to the correspondence which took place at the time, and which resulted in this arrangement, will show that whatever may have been the case with regard to ordinary claims, *none* of the claims of the *Chouth Jagheerdars* need have been classed by the Honorable Court of Directors among those of which they were apprehensive (vide paragraph 32 of the Honorable Court's despatch No. 8, of 12th April 1842) that the circumstances of the pensioners were not "duly considered," had they been made aware of or remembered the discussion of A. D. 1823 to 1825.

6. I conclude, further, that there can be no doubt that when the Honorable Court, on the grounds of the apprehension noticed above, decided in paragraph 32 of their despatch No. 8 of 1842 that—"Whatever rules may be ultimately prescribed in relation to Jagheer lands should be extended to pensions granted in commutation for such lands," they intended only that such pensions should be continued permanently as were granted in lieu of Surinjams which would have been continued permanently had not the pensions been substituted for them, and not to pensions granted as a life provision out of charity to persons who had been by the conquest of the country dispossessed of assignments on its revenues, and had merely, as explained by the Supreme Government, "suffered by the events of the war in common with their late sovereign."

7. But from pensions of many descriptions having been entered without sufficient classification in a document known as the "Poona Pension List," there was nothing to keep Government reminded as to which of those entered as given in lieu of Jagheer were of the class which had been finally decided on after the discussion alluded to above in my 3rd and 5th paragraphs, and which of them were assigned in lieu of Surinjams which would have been continuable on the grounds of title under the Surinjam Rules lately approved of by the Honorable Court. And, therefore, the Court, having from these lists information only of the facts that certain pensions (reported as now stopped) had been originally granted in lieu of Jagheer, were naturally apprehensive that some hardship had taken place through an oversight, which a reference to the correspondence now brought to notice will show not to have occurred at any rate with respect to pensions assigned to the Chouth Jagheerdars.

8. It seems a subject of regret that when the 32nd paragraph of the Honorable Court's despatch No. 8 of 1842 was referred for the report of the Agent for Sirdars, with the Government letter No. 100, dated 13th January 1843, he did not in his reply recall the facts above mentioned to the attention of Government; but it does not yet seem too late to bring them to the notice of the Honorable Court, so as to obtain their instructions as to whether or not the decision of A. D. 1825 is to be upheld.

9. In adverting to the difficulties which will attend the Honorable Court's throwing over the decision of A. D. 1825 based on the idea that the grant of *life*-pensions in some cases to the Chouth Jagheerdars was a measure of indulgence and not one dependent on any *title* of the pensioners, Captain Cowper at the close of his 21st paragraph argues as if he believed that Government would thereby deservedly lay themselves open to the charge of inconsistency were they to reject the numerous claims of others who had as good *titles* to their Chouth Jagheers as those Jagheerdars who were favoured, at Mr. Chaplin's recommendation, with life-pensions; and although I consider

that no substantive injustice would thus be done, and that as Government had an undisputed right to resume *all* the Jagheers in question, the many from whom they have been resumed without compensation have no *bonâ fide claim* on the State because Government may choose to compensate a few in the same manner *as if* a title were recognised, I am constrained to admit that so doing may have an *appearance* of arbitrary caprice, which a strict adherence to the settlement of 1825 would avoid; and that such adherence would, in fact, be less likely to revive a feeling of dissatisfaction and distrust of the impartiality of Government than the application to a portion of the pensioned Chouth Jagheerdars of rules connected with title which it would be most expensive and impolitic to apply to all the Jagheerdars dispossessed under the same circumstances.

10. Captain Cowper's letter contains a clear and continuous history of the transactions to which I have considered it necessary to allude but briefly; and I would, therefore, solicit the best attention of Government to it, begging to notice only this fact, in addition to what I have written above, that the assumption of Captain Cowper at the close of his 18th paragraph that Mr. Chaplin "had no intention of recommending anything based on an admission of *title* of any sort, much less an hereditary one," is borne out by the heading of the list of proposed pensions submitted by him on the 11th April 1825 and sanctioned by Government on the 25th idem, in which *all* the proposed pensions are specifically limited as "to be granted *for life*." The list in question was not in Captain Cowper's possession when he wrote his letter No. 651, now submitted, or he would, doubtless, have mentioned this fact in addition to those cited by him.

11. I am respectfully of opinion that it would be advisable that Government should act with regard to the Chouth Jagheerdars' pensions in conformity with the decision of A. D. 1825, until the Honorable Court of Directors shall have the opportunity of considering whether, under the circumstances now brought to notice by Captain Cowper, that decision should be disturbed by the instructions conveyed in paragraph 32 of the Honorable Court's despatch No. 8 of 1842, which do not seem to have been issued with the recollection of the discussion mentioned above in my 3rd paragraph.

I have the honour to be, &c.

(Signed) W. Hart,
Inam Commissioner.

No. 355 of 1853.

POLITICAL DEPARTMENT.

To W. Hart, Esq.,
Inam Commissioner.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter dated the 13th instant, No. 1570, and to inform you that Government is of opinion that in all cases in which hereditary right to Jagheers was refused, no pension granted to the person whose claim was so rejected can be considered hereditary, unless especially declared to be so at the time of the grant.

2. All your proceedings relative to such claims should be based on this view, which will be reported for the orders of the Honorable the Court of Directors.

I have the honour to be, &c.

(Signed) A. Malet,
Chief Secretary.

Bombay Castle, 25th January 1853.

Extract Paragraphs 11 *to* 13 *from a Despatch from the Honorable the Court of Directors, dated the* 18*th May, No.* 27 *of* 1853.

13 to 16. Further proceedings connected with the lists prepared by Mr. Brown, of pensions enjoyed in commutation of Surinjams.

Para. 11. We are much concerned to learn that Mr. Hart has found reason to believe that "errors and oversights" of a grave nature have occurred in forming the revised Surinjam lists which at present regulate the continuance or resumption of Surinjams. You have called on Mr. Hart to "report in detail upon each of the cases" with reference to which he has reason to think that such errors have been committed, and as the lists of pensions in lieu of Surinjams, though approved by us, had not yet been finally adopted, you have very properly placed them in abeyance, and referred them to Mr. Hart for the purpose of testing their accuracy.

12. Mr. Hart's Assistant, Captain Cowper, with whom Mr. Hart expresses his concurrence, has called in question the right of any holder of a pension granted in lieu of a Surinjam to anything more than a life-tenure. These claims all arose from resumptions by the Nizam's Government. In the arrangements made after the fall of the Peshwa, the Nizam was released from the payment of Chouth, and certain districts were also made over to him. The British Government stipulated that the Nizam should not resume Inams and Wurshasuns, but after much consideration determined to make no simi-

lar stipulation with regard to Surinjams. The Surinjams chargeable on the Chouth alone amounted, it is stated, to not less than Rs. 5,00,000 per annum, of which Captain Cowper expresses his belief that the greater part were granted by the Sattara Rajas previous to 1751. It was held, however, that neither was the Nizam bound to continue them, nor our Government to make compensation for them; and in a comparatively small number of instances only, on special grounds, pensions were granted by our Government, which grants, Mr. Hart is of opinion, should be regarded as acts of liberality or charity, not giving a right to such consideration as has been shown to holders of Surinjams in the territory acquired by ourselves.

13. We think this argument good so far as it affects Surinjams chargeable on the Chouth. These being mere money payments from a branch of the public revenue, cannot be regarded in the same light with landed possessions or Huks. The event of the war put an end to the Chouth itself and to all payments chargeable on it. The Nizam could not be expected to continue payments from the spoils of his own country to those to whom they had been allotted by his predatory neighbours; and even Inams chargeable on such a fund would not have had a well founded claim to further continuance, were it not for the promise contained in Mr. Elphinstone's proclamation. But it is otherwise with such of these Surinjams as consisted of landed possessions in districts transferred to the Nizam. These, if of older date than 1751, would have been considered hereditary, if the country had remained under our government, and any pensions which have been granted to the holders in consequence of their dispossession should be treated in the same manner. This does not imply, as Captain Cowper supposes, that we should recognise the claims of persons to whom no pensions have been allotted. It is one thing to recall into existence claims which were rejected thirty-five years ago, and another to give to actual possessors the benefit of the principles on which their cases would be decided if they now for the first time came before us. In our letter of the 12th April 1842, referred to by Captain Cowper, the only pensions of which we spoke were those granted in commutation of "Jagheer lands" situated in territory ceded to a Native prince. We never intended to apply the same rule to those granted in commutation for payments from the Chouth, and, if we rightly understand Mr. Hart, he recognises the same distinction. We desire, therefore, that it be kept in view in revising the lists.

APPENDIX Z.

No. 95 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, 25th February 1853.

Sir,—I have the honour to report the result of my inquiry (ordered in the Chief Secretary's letter No. 4249, of the 1st October 1852) regarding the pension numbered 14 of Class III. in the revised lists submitted to Government by the Agent for Sirdars, Mr. Brown, under date the 4th June 1851.

2. This pension is one of Rs. 320, Manuckjee wulud Bahadoor being shown in the revised lists as the original grantee thereof. It is also shown that this pension was never included in any of the previous pension lists which have at intervals been prepared.

3. Such being the case, and Mr. Brown's revised lists containing the remark that "no information" was procurable in regard to the age of Manuckjee wulud Bahadoor, and that "it is not known where this pensioner resides and receives his pension and whether he has any sons," I addressed the Agent for Sirdars on the 9th November last (No. 485) as follows:—

> "Adverting to the pension entered as No. 14 of Class III. in the revised lists in the name of Manuckjee wulud Bahadoor, and to the column of remarks, in which it is stated that 'it is not known where this pensioner resides and receives his pension and whether he has any sons,' may I request the favour of your informing me whether your records afford any information regarding the payment of the pension or the existence of Manuckjee, subsequent to the date of the original grant by Mr. Elphinstone."

4. The Agent for Sirdars has replied under date the 19th instant, No. 80, and has informed me that his "records do not afford any information regarding the payment of the pension or the existence of Manuckjee wulud Bahadoor, subsequent to the date of the original grant by Mr. Elphinstone."

5. Under these circumstances, it seems to me that this pension should not have been entered in the revised lists, and that it should now be expunged from them. I have, therefore, abstained from attempting any inquiry into the nature of the grant, pending instructions, and until I learn whether Government deem any further inquiry practicable or necessary.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 1933.

From W. Hart, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government.

Dated Belgaum, 14th April 1853.

Sir,—I have the honour to submit a report, No. 95, dated 25th February 1853, from my Assistant, Captain Cowper, regarding the pension numbered 14 of Class III. in the revised lists submitted to Government by the Agent for Sirdars, Mr. Brown, under date the 4th June 1851.

2. As the Agent for Sirdars informed Captain Cowper that he could give no information as to the existence of the supposed pensioner, or of the payment of the pension since the date of its grant by Mr. Elphinstone, I referred on the 12th ultimo to the Accountant General, who, probably from being unable to give the necessary information, transferred my letter to the Civil Auditor; and he, in a letter No. 1015, dated 30th idem, informs me that "on reference to the annual statements of political stipends and Wurshasuns, for life and hereditary, payable by the Collectors of Rutnagherry, Tanna, Poona, Ahmednuggur, Khandeish, Belgaum, and Dharwar, the pension of Rs. 320 of Manuckjee wulud Bahadoor is not traceable."

3. As it is evident that if this pension be still paid Government ought to know from what treasury it is disbursed, in order that some supervision may be had over its future continuance; and as if it is not paid at all, in consequence of the death of Manuckjee and his sons, or other causes, it ought not to be entered in the revised list, I would suggest that Government should forbid the payment of the pension in question from *any* of its treasuries, until the Agent for Sirdars can certify that the person entered as "present pensioner" in that list is alive.

4. With respect to some of the remarks regarding this pension (No. 14 of Class III.) contained in the 15th column of Mr. Brown's list of the 4th June

1851, I observe that he treats Mr. Turquand's letter (quoted in his Appendix R) as entirely the result of misinformation regarding the subject of which it treats. In paragraph 10 of his letter, Mr. Turquand writes,—"In the pension list Manuckjee Bargeer is exhibited as having been granted a pension of Rs. 320 in lieu of a Surinjam of Rs. 2,000 granted in 1802, and resumed by the British Government on its accession," and in his 11th paragraph shows the erroneousness of such a statement. Mr. Brown simply states that Mr. Turquand's remarks "are not in accordance with the list of the Honorable Mr. Elphinstone, in which it is stated that Manuckjee wulud Bahadoor Bargeer held a Surinjam of Rs. 399, and a pecuniary pension of Rs. 320 was given in lieu of this," &c.

5. I think Mr. Brown might have perceived that Mr. Turquand in his 10th paragraph alluded only to the Agent's list No. 3, submitted with his letter No. 60, dated 16th April 1844; under No. 12 of which it appears to be stated that Manuckjee's pension of Rs. 320 was assigned in consideration of his having held a Surinjam of Rs. 2,000, granted to him in 1802, though the date of its resumption is not mentioned, and that the opinion stated by Mr. Turquand with respect to *such* an entry was correct.

6. With respect to his assertion that Mr. Elphinstone's list *states* that it was in lieu of a Surinjam, *valued at Rs.* 399, that the pension of Rs. 320 was given, Mr. Brown is in error, if the list to which he alludes be that *submitted by the Commissioner to the Supreme Government* in 1819, for the copy of that list, forwarded to me with your letter No. 877, dated 26th February 1853, contains no such valuation as that alluded to by Mr. Brown. It is true that memoranda of valuation, &c. are inserted *under the column of name* of each Surinjamdar, in *the office copy* of the list on the Agent's records, and in the transcripts of that copy, which are probably supposed by the Bombay Government to be copies of the original list. But, for the reasons stated in paragraph 2 of my letter No. 1557, dated 10th January 1853, it seems dangerous to look upon them as proof of the grounds of Mr. Elphinstone's recommendations, in supersession of the proof afforded by the list *signed* and submitted *by him* to the Supreme Government.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

No. 2547 of 1853.

Political Department.

To the Inam Commissioner.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of Mr. Hart's letter No. 1933, dated the 14th April last, forwarding an original communication to his address from Captain Cowper, regarding the pension standing in the name of Manuckjee wulud Bahadoor, forming entry No. 14 in Class III. of Mr. Brown's revised lists of pensions granted in commutation of Surinjams.

2. In reply, I am desired to inform you, that under the circumstances brought to notice in the above correspondence, His Lordship in Council has resolved, as suggested by Mr. Hart in the 3rd paragraph of his letter, to prohibit any further payments being made from any of the Company's treasuries, on account of this pension, until the Agent for Sirdars may be able to certify that Manuckjee wulud Bahadoor is really alive.

I have the honour to be, &c.

(Signed) H. E. Goldsmid,
Secretary to Government.

Bombay Castle, 8th June 1853.

APPENDIX AA.

No. 96 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, 25th February 1853.

Sir,—I have the honour to report the result of my inquiry (ordered in the Chief Secretary's letter No. 4219, of the 1st October 1852) regarding the pension numbered 13 of Class III. in the revised lists submitted to Government under date the 4th June 1851, by the Agent for Sirdars, Mr. Brown.

2. By a Sunud the registry of which in the State diaries is forthcoming under date the 6th of Ramzan, Teesa Teesain Mya wu Ulluf (12th February A. D. 1799), the last Peshwa, Bajee Rao, assigned the Jagheer and Surdeshmookee Umuls of the village of Baboolgaum and its hamlet Goleewaree, together with a Koorun, for the maintenance of the *troops* (Paga) commanded by Jaitojee Babur, the value of the assignment being shown at Rs. 1,651.

3. The wording of the Sunud is clear and distinct, and as on it hinges the question upon which Government have to decide, the required extract is given below in the original character, as well as my translation :—

Translation.

The Jagheer and Surdeshmookee Umuls, and also the Koorun of the village of Baboolgaum and its hamlet Goleewaree, in the Barsee Turuf of the Barsee Purguna, are from the present year assigned for the maintenance of the troops (Paga) under Jaitojee Babur.

The Sunud as registered.

मौजे बाभूळगांव व मजरे गोळेवाडी तर्फ बारसी परगणे मजकूर येथील जाघागीर व सरदेशमुखीचा अंमल कुरण सुध्धां पागा दिम्मत् जैतोजी बाबर यांजकडे पागेचे बेगमीस साल-मजकुरापासून चाजन दिल्हा.

4. It is equally clear that no alteration was ever made by the Peshwa in the terms of the grant, which, apparently, remained in force up to the war in A. D. 1817. The latest account of the Barsee Purguna which has been found among the Peshwa's records is a detailed account of management (Waheewat)

for A. D. 1811-12, and in this the amount is charged, *in the words of the Sunud,* (पागेचे बेगमीस, Pagaché bégmees,) for the maintenance of the troops.

5. The entry in Mr. Elphinstone's lists of Jagheers is in the name of Jaitojee Babur, to whom a pension of Rs. 800 was assigned "*for life,*" the circumstances under which the grant was recommended being explained in the following terms :—

" Received his Jagheer from Bajee Rao; to receive the amount in money."

6. While the revised pension lists were under preparation, the Superintendent of the Poona Duftur, Mr. Turquand, brought to the notice of the Agent for Sirdars that this Surinjam was a *military* (Fouj) one of comparatively recent date, and that Government would have to decide to what extent (if any) it should be regarded in the light of a personal Surinjam.

7. The Agent for Sirdars, in submitting the revised lists, assigned as reasons for overruling Mr. Turquand's opinion,—

1st.—" The fact of the Surinjamdars having enjoyed the revenue after the Paga was abolished," which showed, in Mr. Brown's opinion, " that the Peshwa continued it to him for his personal expenses."

2nd.—That " this Surinjam was viewed by Mr. Elphinstone in the light of a personal Surinjam" was proved, the Agent thought, " from the fact of its being recorded in Mr. McDonnell's inquiry, which was limited only to what was personal."

8. The Agent's first supposition seems to me an untenable one. Admitting even that the Surinjamdar did appropriate to his own personal use the allowance granted for the maintenance of troops (of which, however, I can find no evidence whatever), it does not necessarily follow that his appropriation was one sanctioned by the Government; and in this particular case the accounts forthcoming show that it was not, and that the allowance was all along entered in the accounts of management, in the terms of the original grant, as one for the maintenance of troops, and not on account of the salary of their commander.

9. As regards the Agent's second supposition, I can only offer what seems to me the most natural explanation of the circumstances under which this Surinjam was entered in Mr. Elphinstone's lists,—premising, however, that because it *was* thus entered, it by no means follows that it was what it was then supposed to be. Mr. Elphinstone's lists were intended by him to include only what was actually enjoyed at the breaking out of the war; but although this was with the Sole Commissioner an all-important consideration, and as such, of course, especially attended to, still that misinformation to some extent was inevitable was proved by the subsequent discovery by Mr. Chaplin that many Surinjams entered in the lists had been resumed long before the war, and they were then treated accordingly.

10. It seems to me most probable that Mr. Elphinstone, although aware that Surinjams of this description were essentially military ones, may have included them in his lists in cases where the holders were found in the receipt of no other allowance, and where it appeared that they must have supported themselves, as well as the troops they commanded, out of the allowance nominally granted for the latter purpose only. It is certain that Mr. Elphinstone did not intend to continue military Surinjams, for on that point he expressed himself (in paragraph 17 of his despatch to the Governor General, No. 78, dated the 18th June 1818) most explicitly, but he at the same time recorded an opinion that the military commanders had always held "lands for their personal expenses, as well as for those of their troops." I believe that a few of the inferior commanders formed exceptions, and that in these cases (of which that under report seems to be one) Mr. Elphinstone must have included their Surinjams, or an equivalent in money, in his list of Jagheers, because he deemed it "politic and humane" to make *some present provision* for every one of this class of persons.

11. Be this as it may, however,—that the Surinjam under report was from first to last held as a military, and not as a personal one seems clear, if the terms of the deed of grant and the entries in the Government accounts are to be taken as the only valid proof of the *nature* of a holding, as I presume they must be. Should Government take this view of the question, it will only remain to decide whether a military Surinjam, continued as *a matter of grace* to the first, should be treated in succeeding generations according to the Rules framed for holdings of a purely personal nature.

12. I must now, however, advert to a fact which has come to my knowledge in connection with this case, and which seems of the greatest importance, although as yet it has not been, as far as I am aware, anywhere noticed. Yeshwunt Rao Babur, the person to whom the life pension of Rs. 800 was, it seems, granted, (Jaitojee Babur having been dead when his name was inserted, probably from Duftur records, in Mr. Elphinstone's lists,) died in or about the year A. D. 1830, and on his death an allowance of Rs. 200 per annum was granted to his widow, who received it until her death in or about A. D. 1841.

13. Yeshwunt Rao left three sons, Krishna Rao, Tookaram, and Buheerjee, the eldest of whom, Krishna Rao, would, of course, have been the person to hold any continuable Surinjam, had his father died in the possession of one, and to this eldest son, therefore, any pension granted in lieu of a Surinjam would have been continued. But Krishna Rao died (as stated before me by the present claimant, Tookaram, under date the 22nd December 1852) in A. D. 1849, and with him (as I understand the application of the Surinjam Rules) expired the second British grantee.

14. The revised pension lists submitted to Government under date the 4th June 1851 make no mention whatever of the deceased eldest son, but contain the names of the other two, Tookaram and Buheerjee, to whom a moiety of their father's pension is recommended to be granted, in the following terms :—

"Yeshwunt Rao's two sons have petitioned, and they are entitled to a pension of Rs. 400 per annum, deducting the allowance of Rs. 200 paid to their mother from 1831 to 1841."

15. As this case stood when it was referred to be tested by this department, Government were called upon to pay arrears* amounting to Rs. 6,500, and to continue from the 17th June last an annual pension† of Rs. 400 (a moiety of the original grant) to the two *younger* sons of the first British grantee, Yeshwunt Rao Babur.

16. The original pension of Rs. 800 seems to have been granted to Yeshwunt Rao Babur in lieu of a *military* Surinjam (see paragraphs 2, 3, 4, and 11 of this letter), and to have been in so far an exceptional case, and one to which the Rules framed by the Honorable Court of Directors in regard to pensions granted in lieu of personal Surinjams do not apply, although their extension to it could not, I apprehend, have required (see paragraph 13 of this letter) anything more than the recognition as the second British grantee of the eldest son Krishna Rao, (who, as above stated, died in 1849,) and a provision for the younger brothers who have survived him.

17. This is a case of the nature described in the 3rd paragraph of my letter, No. 4, of the 4th January 1853, as one in which the Murathee documents received from the Agent do not afford complete information. No genealogical table of the family was, apparently, ever called for or furnished until the parties lately stated their claims according to the form laid down by you, and which I lately ventured to recommend‡ for general observance.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

* See Statement which accompanied the Memorandum No. 305, of the 15th September 1852, from the Acting Agent for Sirdars to the Chief Secretary to Government.

† See remarks on No. 13 of Class III. of the revised pension lists, quoted in paragraph 12 of this letter.

‡ Paragraph 12 of Captain Cowper's letter No. 3, of the 4th February 1853, to the address of the Inam Commissioner.

No. 1934.

From W. HART, Esq.,
Inam Commissioner,

To A. MALET, Esq.,
Chief Secretary to Government.

Dated Belgaum, 14*th April* 1853.

SIR,—I have the honour of submitting a letter No. 96, dated 25th February 1853, from my Assistant, Captain Cowper, showing that the Honorable Mr. Elphinstone's arrangement with regard to the pension to which it relates was set aside by the Agent for Sirdars, owing to his regarding as a *personal* instead of (what it really was) a military Surinjam the Jagheer formerly held by the commander of a Paga, who was pensioned for life by Mr. Elphinstone, as shown in his list of A. D. 1819,—No. 25 of the Class "Paga Chiefs."

2. Captain Cowper also states his reasons for believing that even the lately prescribed Rules for pensions in lieu of *personal* Jagheers (supposing that they could have been properly made applicable in the present case) would not admit of the whole of the charge upon the public revenues which Mr. Brown appears by his inadvertence to have effected, as Yeshwunt Rao's eldest son, who ought to have been counted as the second British grantee, died in A. D. 1849.

3. I beg to state that I agree with Captain Cowper that the pension granted to Yeshwunt Rao ought to have ceased with his life in A. D. 1830, if not at the death of Jaitojee, as apparently intended by Mr. Elphinstone.

4. The pension to which Captain Cowper's letter relates is entered as No. 13 in Class III. of Mr. Brown's revised pension lists, submitted with his letter to Government No. 206, dated 4th June 1851, and the claim for arrears on account of it is shown in the last entry of the statement submitted with Mr. Keays' letter No. 305, dated 15th September 1852. I submit Captain Cowper's letter in conformity with the orders communicated to me in your letter No. 4249, dated 1st October 1852.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

No. 2677 of 1853.

POLITICAL DEPARTMENT.

To the AGENT FOR SIRDARS IN THE DECCAN.

SIR,—I am directed by the Right Honorable the Governor in Council to transmit to you copy of a letter from Mr. Hart, late Inam Commissioner, No. 1931, dated the 14th April last, submitting a report from Captain Cowper dated the 25th of February last, of the result of his investigation in respect to the pension entered in the name of Yeshwunt Rao Babur, forming No. 13 of Class III. of the revised pension lists submitted to Government by Mr. Brown on the 4th June 1851.

2. I am also desired to forward a *précis* of the past proceedings of Government on this subject, and to state that it is clear, from the facts mentioned by Captain Cowper in the 2nd and following paragraphs of his letter, that the Surinjam, in commutation of which the pension of Rs. 800 was assigned by Mr. Elphinstone in 1819, in the name of Jaitojee (but apparently to his son Yeshwunt Rao), was granted by the Peshwa as a *military*, and not as a *personal* Surinjam, and this fact probably induced Mr. Elphinstone to affix a life tenure to the pension.

3. If, however, this point were to be waived in favour of the family, Mr. Brown still evidently committed an error in entering in his list of 1851 the two younger sons of Yeshwunt Rao as entitled to a moiety of their* deceased father's pension, since their elder brother, Krishna Rao, who died in 1849, could alone possess any claim to succeed to that pension.

4. If, therefore, by a liberal interpretation, the villages in commutation of which this pension was assigned were to be considered in the light of a "personal," and not of a "military Surinjam," this grant, in consequence of its having been conferred in the time of the last Peshwa, would be resumable on the death of the first British grantee, a stipend equal to a moiety of the resumed pension being continued for life to his son.

5. If, therefore, Yeshwunt Rao be considered the first British grantee, his eldest son, Krishna Rao, would have been entitled, from the 1st March 1830 to the period of his death in 1849, to an annual pension of Rs. 400, from which should be deducted the annual allowance of Rs. 200 which was paid to his father's widow from March 1830 to November 1840, and from Krishna Rao's death in 1849 the grant would be entirely resumable. If, on the other hand,

* Mr. Brown awarded them the sum of Rs. 6,500 as arrears, which has not been paid, in consequence of the general precautionary order issued by Government on the 1st October last.

the grant be regarded as a *military* Surinjam, Krishna Rao, on the death in 1830 of his father, Yeshwunt Rao, would not have been entitled to any allowance.

6. The names of Tookaram and Buheerjee Babur, the two younger sons of Yeshwunt Rao, having been improperly entered in Mr. Brown's lists, His Lordship in Council directs that they be forthwith expunged therefrom.

7. Before finally deciding whether the late Krishna Rao shall be considered to have been entitled to any allowance for the period intervening between his father's and his own death, I am desired to request that you will report whether he has left a widow or children, and if so, whether or not they are in destitute circumstances.

I have the honour to be, &c.

(Signed) A. Richardson,
Deputy Secretary to Government.

Bombay Castle, 14*th June* 1853.

Précis.

In the Honorable Mr. Elphinstone's lists of 1819 the following entry is made relative to the grant reported on in the accompanying letter from Mr. Hart:—

Number.	Name.	Class.	Remarks.	Decision.	Total Amount of the Jagheer as it stood at the breaking out of the War.	Number of Years in possession.	Jagheer, or Yearly Allowance to be continued. Kumal, or greatest recorded Collection.	Estimated real Value at present.	Pecuniary Pensions.	For what Period recommended.
					Rs.		Rs.	Rs.	Rs.	
25	Jaitojee.	Paga Chiefs.	..	Received his Jagheer from Bajee Rao; to receive the amount in money.	1,351	22	..	..	800	For life.

2. On the 16th April 1844 Mr. Warden, Agent for Sirdars in the Deccan, submitted to Government a "Statement of persons who held, on the breaking out of the war between the British and Muratha Governments, Surinjams granted as late as Bajee Rao's time, to whom pecuniary pensions were assigned

by Mr. Elphinstone." Entry No. 11 contained the following mention of this grant :—

Number.	No. in the Poona Pension Lists.	Name of the Original Pensioner.	Name of Present Pensioner when not the Original Grantee.	Amount of Pension first granted.	Amount since continued.	Amount of Surinjam held by the Family of the Pensioner.	Date of Original Grant of Surinjam, taken from Sunuds or Government Records.	Date of Resumption, and by whom.	Age of the Present Pensioner.	Annual Income of the Pensioner from Private Property.	Names and Ages of his Legitimate Male Issue.	Remarks.
				Rs.	Rs.	Rs. a. p.	A. D.	A. D.	Rs.	Rs.		
11	..	Jaitojee Babur.	..	800	..	1,214 5 0	1801.	1818. By the British Govt.	.. *	.. *	.. *	* No information.

3. With reference to the foregoing entry, Mr. Turquand, late Superintendent of the Poona Duftur, on the 31st December 1850 addressed the following letter to Mr. Keays, Acting Agent for Sirdars :—

"I have the honour to inform you that Mr. Warden's pension list under revision does not give a correct account of pension No. 11, Class III., viz. the pension to Jaitojee Babur.

"This pension is entered as granted in lieu of a Surinjam granted in A. D. 1801-02, and resumed by the British Government in A. D. 1818, and of the value of Rs. 1,214-5-0, which Rs. 1,214-5-0 the Murathee memorandum accompanying your Assistant Mr. Newton's letter of the 6th ultimo, No. 509, states to have been the amount of the Babtee and Surdeshmookee (inclusive of Kussur) of village Sherala, Purguna Newasseh.

"On their resumption from Myheeput Rao Bhuwanee, who had held them in personal Surinjam, the Babtee and Surdeshmookee (inclusive of Kussur) of village Sherala, Purguna Newasseh, valued at Rs. 1,214-5-0, were in A. D. 1801-02 (as shown by a registry dated the 20th Rubee-ool-Akhir), forthcoming in the 255th sheet of Balajee Koonjur's ledger, [Botekhut for 1801-02,] assigned as a personal salary (Tynat Budul Mooshahira) to Jaitojee Babur, commander of a Paga; but in 1803-04 were resumed from Jaitojee Babur, and included in a Surinjam grant of Rs. 36,000 to Mankojee Sindia, and continued to be held by Mankojee Sindia till the breaking out of the war.

"From Mr. McDonnell's list it would seem that Jaitojee Babur's pension was granted in lieu of village Baboolgaum (with its hamlet Golwadee), in Purguna Barsee, valued at Rs. 1,351.

"The Jagheer and Surdeshmookee of village Baboolgaum and hamlet Golwadee, with its Koorun, valued together at Rs. 1,651, were in A. D. 1798-99, as shown by a registry in the diary for the 6th Rumzan (A. D. 1798-99), assigned to Jaitojee Babur for the expenses of the Paga under his command, and in the estimates of Purguna Barsee for A. D. 1806-07 are entered in Jaitojee Babur's name as an assignment for the maintenance of the Paga he had commanded ; and I conclude the entry in Mr. McDonnell's list to have been based on entries in the Duftur accounts (which have been sent to the Collector of Sholapore), showing the above revenues, though an assignment to his Paga, to have been held by Jaitojee Babur at the breaking out of the war.

"Shortly after the Treaty of Bassein, Bajee Rao, in pursuance of his policy of depressing and injuring the military Chiefs connected with the former Government, removed the commandants of Pagas from their commands and resumed their Surinjams; but in a few cases the Paga commandants, their personal assignments having been resumed, managed up to the breaking out of the war to covertly enjoy revenues assigned for the expenses of the Pagas.

"In regard, then, to these *military* Surinjams held at the breaking out of the war,—some of which were assignments of early date, others, like that under notice, of comparatively recent date,—Government have to decide as to the degree in which they should be regarded in the light of personal Surinjams."

4. In the "List of pensions granted by the British Government in commutation of Surinjams granted subsequent to A. D. 1795" (*i. e.* in the reign of Bajee Rao), prepared by Mr. Brown, the late Agent for Sirdars, and submitted by him to Government on the 4th June 1851, the following entry is made on the subject of this grant.

Number.	No. in the Poona Pension List.	Name of the Original Pensioner.	Name of Present Pensioner.	Amount of Pension first granted.	Amount since continued.	Amount of Surinjam held by the Family commuted into Pension.	Date of Original Grant of Surinjam, taken from Sunuds or Government Records.	Date of Resumption, and by whom.	Age of the Present Pensioner.	Annual Income of the Pensioner from other Sources.	Names and Ages of his Legitimate Male Issue.	The Tenure.	Reasons for making the Grant, as recorded by the Sole Commissioner in the Deccan.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
			Rs.	Rs.	Rs.	Rs. a. p.	A. D.	A. D.		Rs.			
13	..	Yeshwunt Rao Babur, deceased.	..	800	..	1,214 5 0	1801.	1818. By the British Government.	..	..	Tookaram, 56 years; Buheerjee, 54 years.	For life	Class Paga-Chiefs, No. 25.—Received his Jagheer from Bajee Rao. To receive the amount in money for life.

REMARKS.—Inquiries into the Duftur recorded by Mr. McDonnell show that Jaitojee Babur held at the breaking out of the war a Surinjam of Rs. 1,351, derived from the village of Baboolgaum and Gogulwaree, in Purguna Barsee, and this is confirmed by Mr. Elphinstone's list, an extract from which is recorded in column 14. These villages were granted in 1793, in lieu of which a pension of Rs. 800 was given.

The Superintendent states that the above grant was on account of a "Paga," and that the Peshwa Bajee Rao generally abolished Pagas, but the commanders of them managed to enjoy the revenues covertly. (Vide Appendix Q.)

The fact of the Surinjamdars having enjoyed the revenue after the Paga was abolished shows that the Peshwa continued it to him for his personal expenses. Mr. Elphinstone does not include this pensioner amongst those whom he pensioned as an act of favour, but enters him in his Jagheer list, and clearly shows that he granted the pension in lieu of the Jagheer he held at the breaking out of the war.

That this Surinjam was viewed by Mr. Elphinstone in the light of a personal Surinjam is also proved from the fact of its being recorded in Mr. McDonnell's inquiry, which was limited only to what was personal. The Fouj Surinjams were not recorded, and have never been inquired into at the time; when they did come in the way, they have always been separately distinguished.

Jaitojee Babur, though entered in the list by Mr. Warden, did not receive the pension. His son Yeshwunt Rao received it from 1819, as shown by documents in the records of the Commissioner. On Yeshwunt Rao's death in 1831 his widow was pensioned on Rs. 200, which is entered No. 428 in the Poona pension list. Yeshwunt Rao's two sons have petitioned, and they are entitled to a pension of Rs. 400 per annum, deducting the allowance of Rs. 200 paid to their mother from 1831 to 1841.

The Poona pension list shows that the pension was granted in lieu of personal Jagheer, and by the accounts received from the Collector of Sholapore, the villages were held by Jaitojee Babur up to the breaking out of the war.

5. From the foregoing, and from Mr. Hart's and Captain Cowper's letters, it appears,—

1*st.*—That Mr. Elphinstone intended that the grant to Jaitojee Babur, the original grantee, should cease with that person's life. It is, however, presumed by Captain Cowper, that when Mr. Elphinstone's lists were framed Jaitojee Babur was dead, and that his name was probably inserted from the Duftur records.

2*nd.*—That the pension of Rs. 800 per annum was held by Yeshwunt Rao, son of the deceased Jaitojee Babur, up to the 1st March 1830, when the former dying, the stipend was resumed, an annual allowance of Rs. 200 being continued as a life-grant to his widow, on whose death, on the 25th November 1840, the same was resumed by order of Government.

3*rd.*—That on his death in 1830, Yeshwunt Rao Babur left three sons, Krishna Rao (who died in 1849), and Tookaram and Buhcerjee, both of whom are now alive, and whose names are entered in Mr. Brown's lists of 1851 as being entitled, as the sons of Yeshwunt Rao, to succeed to a moiety of the pension of Rs. 800 held by their deceased father up to the year 1830, with arrears from that period up to the present time, *minus* the stipend of Rs. 200 received by their deceased mother from the year 1830 to 1840.

6. The Honorable the Court of Directors, in the 3rd paragraph of their political despatch dated the 4th February 1852, No. 10, laid down the following rule for the future guidance of Government :—

" In the case of Surinjams of so recent a date as the accession of the last Peshwa, continuance for one generation, followed by the grant of half the net proceeds to the next generation, is a sufficiently favourable treatment : such grants should therefore in future be resumed on the decease of the first British grantee. If, however, in any case they have been already continued to a second generation, the holder should retain them for life, but at his death the order for a pension to the next generation will not take effect."

No. 134 of 1854.

Political Department.

To C. J. Manson, Esq.,
Inam Commissioner.

Sir,—With reference to the Government advice No. 2678, dated the 14th June last, relative to the pension of the late Yeshwunt Rao Babur, I am directed by the Right Honorable the Governor in Council to transmit, for your

information, an extract paragraphs 15 and 16 from a despatch from the Honorable the Court of Directors, No. 55, dated the 12th October last.

I have the honour to be, &c.

(Signed) A. MALET,
Chief Secretary.

Bombay Castle, 11th January 1854.

Extract Paragraphs 15 *and* 16 *from a Despatch from the Honorable the Court of Directors, dated the* 12*th October, No.* 55 *of* 1853.

Para. 15. In Case 13 (on which you have not finally decided) Yeshwunt Rao Babur would be considered the first British grantee, and Krishna Rao his representative in the next generation; but in our opinion it is not necessary to go into that question. As Captain Cowper observes, the Jagheer was a military and not a personal Surinjam, and Mr. Elphinstone was opposed to the continuance of military Surinjams. This case was, however, inserted in his list, probably, as suggested in the 9th paragraph of Captain Cowper's report, because Mr. Elphinstone considered it politic and humane to make some present provision for the Surinjamdar.

16. His intentions being limited to that object, he recommended that the allowance proposed by him should be only "for life." Therefore it properly ceased on the death of Yeshwunt Rao.

APPENDIX BB.

No. 129 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, 15th March 1853.

Sir,—I have the honour to report the result of my inquiry (ordered in the Chief Secretary's letter No. 4249, of the 1st October 1852) regarding the pension numbered 3 of Class III. in the revised lists submitted to Government under date the 4th June 1851, by the Agent for Sirdars, Mr. Brown.

2. In A. D. 1819 a pension of Rs. 1,500 per annum was assigned to Gunesh Huree Oke, *not* on account of any Surinjam which he held at the breaking out of the war, but as a personal provision made with reference to a Surinjam distinctly recorded by Mr. Elphinstone *to have been resumed by the Peshwa.*

3. Gunesh Huree Oke's name is entered under the head of Paga Chiefs, No. 2, in Mr. Elphinstone's lists of Jagheers which were transmitted to the Supreme Government on the 25th October 1819, and the following reasons were therein assigned for recommending the grant of a pension :—

"Received his Jagheer from Bajee Rao. His brother had it from Madhow Rao the Younger, with several other villages, and fell in battle. His village was Zubted by Mor Dikshit some months before the war. To receive Rs. 1,500 pecuniary pension.—For life."

4. In another column of Mr. Elphinstone's lists it is recommended that this pension should be "diminished on his death." But this entry seems to me to have been inadvertently made; it occurs merely in the shape of a repetition ("Do. do.") of one immediately above it, and it is not in accordance with the other recommendations in similar cases. I look upon it as a clerical error merely.

5. When the revised pension lists were about to be submitted to Government, the Superintendent of the Poona Duftur, Mr. Turquand, pointed out to the Agent in his letter No. 6, dated the 1st February 1851, that the Surinjam of Gunesh Huree Oke had been a *military* and not a personal one, and that as it had been held in the Carnatic, the information regarding it could only

be obtained from the Inam Commissioner at Belgaum, in whose charge the accounts of the late Government relating to the Carnatic then were.

6. No reference seems, however, to have been made to the Inam Commissioner at Belgaum nor to the accounts in his charge.

7. The Agent overruled Mr. Turquand's opinion in the following terms :—

> " Mr. Turquand says that the above village (*i. e.* Amergole) was given in 1792 to Vissajee Huree Oke for Paga expenses (vide Appendix L), but this is not in accordance with Mr. McDonnell's opinion, concurred in by Mr. Elphinstone."

8. I have referred to the officer in charge of the Belgaum records, and have been furnished by him with the required information, which proves that Mr. Turquand was correct in asserting the grant to have been a *military* one, and that the Surinjam was *resumed a year before the close of the Peshwa's rule,* under orders from the then Prime Minister, Sudashew Mankeshwur, dated the 7th Mohurum, Suba Ashur Myatain (A. D. 1816-17). The registry of the Sunud shows the village to have been granted for the maintenance of troops (Pagé ché bégmees, पागेचे बेगमीस).

9. In the 9th column of the revised pension lists this Surinjam is entered as resumed "in A. D. 1818 by the British Government." But I have already stated (see paragraph 8) that it is clearly shown by the Peshwa's records to have been resumed by that prince a year before the war ; and, added to this, it is to be observed that the 14th column of *the same pension lists* contains Mr. Elphinstone's recommendation quoted in my 3rd paragraph, and which distinctly states the Surinjam *not to have been held at the introduction of the British Government.*

10. The orders of the Honorable Court of Directors, on which the pension lists were framed, are clear, and the interpretation of them by Mr. Warden, the then Agent for Sirdars, in the 6th paragraph of his letter No. 7, dated the 12th January 1844, is equally distinct. The class in which the pension under report has been erroneously included was stated in Mr. Warden's letter No. 7, of the 12th January 1844, to consist " of persons who *held, on the breaking out of the war,* Surinjams granted subsequent to A. D. 1751, but anterior to A. D. 1796, the year of the accession of Bajee Rao, and whose families are entitled, under the present orders, to hold their pensions for two generations, the moiety being continued to the generation next succeeding."

11. It seems clear that, apart from the question of the Surinjam having been a military one, this pension is not continuable under the Rules (those quoted in paragraph 10), as the Surinjam was not held at the close of the Peshwas' rule, and *could* not, therefore, have been resumed by the British Government.

12. The statement submitted to Government with the Acting Agent's memorandum No. 305, of the 15th September last, purposes to grant in the case now reported on arrears of Rs. 3,652-11-1, and an annual pension of Rs. 750 during the life of Vishnoo Huree, the grandson of Gunesh Huree Oke. Vishnoo Huree is twenty-seven years of age.

I have the honour to be, &c.

(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 1934.

From W. Hart, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government, Bombay.

Dated Belgaum, 14*th April* 1853.

Sir,—I have the honour to submit a letter, No. 129, dated the 15th March 1853, from my Assistant, Captain Cowper, reporting on the pension numbered 3 of Class III. in the revised pension lists of the 4th June 1851.

2. The facts stated by Captain Cowper render it unnecessary for me to remark on the discrepancy between what is stated by Mr. Brown in the 9th column of his list with Mr. Elphinstone's testimony quoted in the 14th. It is to be regretted that the Agent did not make the reference to the records at Belgaum suggested by Mr. Turquand, which would probably have prevented much of the error pointed out by Captain Cowper.

3. There can be no doubt that Captain Cowper is right in supposing that the entry "Do. do." in the last column of Mr. Elphinstone's list, opposite to Gunesh Huree's name (an entry which is rendered by the Agent as "diminished on his death"), is a clerical error. On looking carefully through the lists, I find that in no other case is the incompatible recommendation of "to be diminished on his death" applied by Mr. Elphinstone to any Surinjam, &c. which in the column of his "Decisions" he had determined to be continuable only "for life."

4. The arrears which were supposed to be due on account of this pension are entered in the statement annexed to the memorandum of the Acting Agent for Sirdars, No. 305, dated 15th September 1852, at Rs. 3,652-11-1. I beg to state my opinion that, so far as the Pension Rules are concerned, none of this is justly due, but that the whole of the pension ought to have been finally discontinued at the death of Gunesh Huree.

I have the honour to be, &c.

(Signed) W. Hart,
Inam Commissioner.

No. 2635 of 1853.

Political Department.

From H. E. Goldsmid, Esq.,
Secretary to the Government of Bombay,

To the Agent for Sirdars in the Deccan.

Dated 9*th June* 1853.

Sir,—I am directed by the Right Honorable the Governor in Council to transmit to you copy of a letter from Mr. Hart, late Inam Commissioner, No. 1934, dated the 14th April last, forwarding one from his Assistant, Captain Cowper, of the 15th of the preceding month, submitting the result of his examination in respect to the pension numbered 3 of Class III. of the revised lists, submitted by Mr. Brown to Government on the 4th June 1851, standing in the name of Gunesh Huree Oke.

2. In forwarding these documents, I am desired to state that His Lordship in Council considers that Captain Cowper has furnished the most conclusive proof that both Mr. Warden in his lists of 1844, and Mr. Brown in his statements of 1851, erroneously inserted this grant as being continuable beyond the life of Huree Gunesh Oke, the original grantee.

3. Apart from the other circumstances mentioned by Captain Cowper, the fact that the Surinjam in lieu of which the pension of Rs. 1,500 was granted by Mr. Elphinstone was actually resumed prior to the deposal of the Peshwa, and was not in possession of the family at the introduction of the British rule, invalidates the claim to the continuance of any portion of the pension (to which Mr. Elphinstone assigned a life-tenure) beyond the life of Huree Gunesh, the first British grantee.

4. This grant having, therefore, become a *bonâ fide* lapse to Government, on the death of Huree Gunesh Oke in 1847, His Lordship in Council confirms the order for the resumption of this pension contained in Mr. Chief Secretary Malet's letter No. 3638, dated the 25th September of that year, to the address of the Collector of Poona, a copy of which was sent to your predecessor by endorsement No. 3639, of the same date. This grant should, accordingly, be forthwith expunged from the lists.

I have the honour to be, &c.

(Signed) H. E. Goldsmid,
Secretary to Government.

Bombay Castle, 9*th June* 1853.

APPENDIX CC.

No. 439 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To C. J. Manson, Esq.,
Inam Commissioner.

Dated Poona, 12*th September* 1853.

Sir,—I have the honour to return the Government order (received with Inam Commissioner's letter No. 2477, of the 3rd September 1853) in the Political Department, No. 3866, of the 2nd instant, and its accompaniments, and to furnish the report therein called for on the pension of Rs. 600 per annum enjoyed by Bulwuntgeer, one of the disciples (Chela) of Munohurgeer, up to his (Bulwuntgeer's) death* on the 12th July last.

2. In the list of Jagheers which the Honorable Mountstuart Elphinstone, the Commissioner in the Deccan, transmitted to the Supreme Government on the 25th October 1819, the grant of a pecuniary pension of Rs. 4,000 to Munohurgeers'† Chela was recommended, on the following grounds, in the column headed " Decision" :—

" One of the Chelas is with Bajee Rao; the one who is here, Gungageer, to receive Rs. 4,000 a year pecuniary pension. Munohurgeer was a low man,—a new Jagheerdar,—and his Chela is not entitled to the same consideration a son would have been."

And in the column headed "Total amount of the Jagheer as it stood at the breaking out of the war," the value assigned was Rs. 1,76,746—the next column showing the " number of years in possession" to have been twenty-two.

3. In Mr. McDonnell's memorandum on Jagheers, the following supplementary information was afforded :—

" No. 26.—Munohurgeer.—Exd.

" His Jagheer amounts to Rs. 1,76,746-9-0, and the agreement with him was exactly the same as with Roopram Chowdree.

* Report to Government from Collector of Poona, No. 1376, of the 29th July 1853.
† Entry No. 26 in the Class of " Sirdars or great Chiefs."

"In the Nizam's country	Rs. 34,320	14
Ditto Sattara	26,255	12
Ditto Poona	8,526	10½
Ditto Khandeish	1,725	0
Ditto Curnatuk	9,412	13½
Ditto Kokun	1,497	8¾
Ditto Ahmednuggur	95,007	14¼
Total....Rs.	1,76,746	9

"His Jagheer is stated to have amounted to Rs. 2,95,980-12-0; of this Rs. 13,102-8-0 was for his personal expenses; for his battalion Rs. 2,38,278-4-0; and the remainder, Rs. 44,000, was *Hethuree*,—a description of troops in Malwan which he had to maintain. This agrees with the Duftur account. Rs. 85,547-4-0 went with the cession to us in 1817 in Raneebednoor, and Rs. 32,836-11¼ never assigned. By the district accounts the Kumal of Rs. 86,960-10¼ brought Rs. 40,307-8¼. Gungageer, aged twenty-five, one of Munohurgeer's Chelas, is in Poona; the other, Dowlutgeer, thirty-five years old, is with Bajee Rao. In your notes, you say that if they are not with Bajee Rao, a moderate allowance may be made to them, perhaps Rs. 6,000 in money."

4. In the register of restored Jagheers, which was submitted to the Bombay Government with the Commissioner Mr. Chaplin's letter No. 121, of the 28th October 1822, Mr. Elphinstone's provision of Rs. 4,000 was shown* to have been divided, and granted as follows:—

Gungageer Chela	Rs. 1,000
Anundgeer do.	1,000
Bulwuntgeer do.	600
Tapeegeer do.	600
Ramgeer do.	400
Somurgeer do.	400
Total....Rs.	4,000

5. In a despatch, No. 8, of the 12th April 1842, the Honorable Court of Directors, in reviewing the reported proceedings of the Bombay Government in respect to certain pensions, observed (extract paragraph 32 of Honorable Court's despatch),—

"Your proceedings in these cases were in exact conformity to the provisions of the Poona pension list. We are not, however, satisfied that the

* Entry in the register numbered 26, under the head of "Sirdars."

claims of pensioners whose allowances were granted in lieu of landed possessions were always duly considered in that list. Whatever rules may be ultimately prescribed in relation to Jagheer lands should be extended to pensions granted in commutation for such lands."

6. These orders were communicated to the Agent for Sirdars in the Chief Secretary's letter No. 100, of the 13th January 1843, in the following terms:—

"I am directed by the Honorable the Governor in Council to transmit to you copies of the documents noted in the margin, regarding the lapses of Poona pensions by the death of incumbents during the year 1840, and to request that you will be pleased to submit such observations and suggestions as may occur to you on the points adverted to by the Honorable the Court of Directors."

"Extract para. 55 of a letter from the Bombay Government to the Honorable the Court of Directors, dated 28th September, No. 59 of 1841.
"Extract para. 32 of a letter from the Honorable Court, dated 12th April, No. 8 of 1842."

7. Under the instructions quoted in the last paragraph, the Agent for Sirdars, Mr. Warden, framed and submitted to Government (Agent's letter to Government, No. 60, of the 16th April 1844) a "List of pensioners who held, on the breaking out of the war between the British and Muratha Governments in 1817, Surinjams granted in the reign of Bajee Rao, to whom pecuniary pensions were granted in substitution by the British Government," in which the undermentioned pensions were entered (column 9 of above entry) as having been granted in lieu of a Surinjam of the value of Rs. 13,000 granted in A. D. 1803 and resumed "in A. D. 1818 by the British Government":—

Anundgeer Munohurgeer		....	Rs. 1,000
Bulwuntgeer	do.	....	600
Tapeegeer	do.	....	600

And in the 12th column of the list, headed "Names and ages of his legitimate male issue," it was stated that—"Being Gosavees they can have no legitimate children."

8. Mr. Warden's lists were subsequently sent for revision to his successor, Mr. Brown, who, with a letter, No. 206, of the 4th June 1851, submitted revised lists, in which, as No. 16 of Class III., the three pensions specified in the last paragraph were entered in the *exact* terms which had been used by Mr. Warden (and which are above quoted in paragraph 7 of this letter) with reference to the date of grant, the amount of the resumed Surinjam, the date of the resumption, the authority by whom the resumption was made, and the names and ages of the legitimate male issue. The tenure on which the pensions were enjoyed was shown as a life one in column 13 of the lists.

9. During the revision of the lists, the Superintendent of the Poona Duftur, Mr. Turquand, had been requested (paragraph 3 of the Agent's letter to Government, No. 20, of the 4th June 1851) by Mr. Hunter (then officiating for Mr. Brown during the latter officer's absence on medical certificate at the Neilgherry Hills) to afford certain information regarding the Surinjams in commutation for which these pensions were supposed to have been granted, and a report (No. 5, of the 29th January 1851) was, accordingly, made by the Superintendent, which is given below entire:—

"I have the honour to inform you that the pension list of A. D. 1844 under revision gives an incorrect account of pension No. 13 Class III., granted to three of Munohurgeer's disciples,—viz. Rs. 1,000 per annum to Anundgeer, and Rs. 600 each to Bulwuntgeer and Tapeegeer.

"2. Munohurgeer was in A. D. 1797-98 ordered by Bajee Rao to raise a battalion, when for his salary and establishment of servants he was allowed Rs. 1,000 a month, which allowance, as no record is forthcoming of its payment from the Government treasuries or by an assignment of villages, was either not enjoyed, or, if enjoyed, was saved out of assignments for the maintenance of troops. In A. D. 1802-03 and 1803-04 a large Surinjam was assigned for the expenses of the battalion.

"3. On Munohurgeer's death, which occurred some years before the war broke out, his battalion aforesaid, and its Surinjam, were transferred to the charge of Roopram Chowdree, and the Surinjam continued to be debited in Munohurgeer's name, the battalion having retained the name of its organiser.

"4. A Government minute in the Duftur dated the 22nd Sufur (A. D. 1805-06) shows it was then resolved to grant Munohurgeer a personal Surinjam of Rs. 13,102½ (in which an allowance for a palanquin was included) from certain villages, Umuls, and lands, which the minute specifies.

"5. But Raojee Pendsay of my office states from personal knowledge that this Government resolution was never carried into effect; and this statement is borne out by the facts that the villages, Umuls, &c. constituting the proposed Surinjam are not mentioned in the Duftur memorandum of Munohurgeer's Surinjam transferred with the battalion to Roopram Chowdree, and are nowhere in the Duftur accounts entered as having been enjoyed by Munohurgeer, which mention and entries would, however, have been made, had the personal Surinjam in question been enjoyed.

"6. Moreover, Raojee Pendsay states from personal knowledge that when Munohurgeer's Surinjam, transferred to Roopram Chowdree, was resumed by the British Government on its accession, Dajeeba Shewday, a

Karbaree of the Chowdree, represented that out of the Surinjam transferred to the Chowdree Rs. 4,000 had been annually enjoyed by Munohurgeer's disciples. No record of such enjoyment is forthcoming in the Duftur. It appears, however, that as it was an object to provide for Munohurgeer's disciples, they were, on the statement of the Karbaree, considerately granted a pension of Rs. 4,000 a year, which a Duftur memorandum shows to have been divided as follows:—Rs. 1,000 each to Gungageer and Anundgeer; Rs. 600 each to Bulwuntgeer and Tapeegeer; and Rs. 400 each to Ramgeer and Somurgeer. Only three of these disciples are entered in the pension list of A. D. 1844, the other three having died previously.

"7. The pension list, however, says that the pension to the three disciples was granted in lieu of a Surinjam of Rs. 13,000 granted in A. D. 1803, and resumed by the British Government on its accession; and in reply to my application for the record of the detail of this Surinjam, Mr. Newton, in the Murathee accompaniment to his letter of the 6th November last, No. 509, says the Surinjam is particularised in page 242 of the Surinjam list in Murathee in the Agent's Office.

"8. The Sunuds of A. D. 1802-03 and 1803-04, referred to in paragraph 2 of this letter, do not show the Rs. 13,000 [in lieu of which the pension list says the pension was granted] to have been included in the Surinjam they refer to, which Surinjam, the Sunuds say, was military, and no part personal.

"9. The only supposition, then, that seems left is that the record quoted in Mr. Newton's memorandum exhibits the Rs. 13,000 as forming the Surinjam, the subject of the Government Minute of the 22nd Sufur (A. D. 1805-06) noted in paragraph 3 of this letter; but the Surinjam, the subject of this Government Minute, we have seen was never enjoyed by Munohurgeer, so that the pension list must be wrong if it states this Surinjam was resumed by us in A. D. 1818, and that the pension was granted in lieu of this Surinjam.

"10. This appears another case of a pension granted as a matter of favour and not of right, having been entered in the pension list as granted in lieu of a Surinjam resumed by the British Government at the time of the war."

10. In submitting the revised lists to Government, Mr. Brown appended a copy of the letter just quoted, and attempted to overrule Mr. Turquand's objections in the following terms (column 15 of the revised lists, No. 16 of Class III.):—

"Mr. Elphinstone has entered Munohurgeer's name in his list of Jagheers for a pecuniary allowance of Rs. 4,000. This person's Jagheer is detailed in Mr. McDonnell's memoranda on Jagheers, in which it is stated

that out of a large Surinjam amounting to Rs. 2,95,380-12-0, Rs. 13,102-8-0 belonged to him as personal Jagheer. Munohurgeer died before the war, and a list of Mr. Chaplin shows that Rs. 4,000 were afterwards given to six Chelas of Munohurgeer, as follows:—

" Gungageer	Rs.	1,000	Dead.
Anundgeer		1,000	In the list.
Bulwuntgeer		600	
Tapeegeer		600	
Ramgeer		400	Dead.
Somurgeer		400	
Total	Rs.	4,000	

" The Superintendent of the Poona Duftur states [vide Appendix T] that the large Surinjam was granted in the name of Munohurgeer, but was, in fact, held at the breaking out of the war by Roopram Chowdree, and that a Surinjam of Rs. 13,102-8-0 was granted by the Peshwa as personal in 1806, but the grant, though recorded, was not carried into effect. This statement does not accord with the entry made by Mr. McDonnell in his inquiries regarding Roopram Chowdree's Jagheer, for it is there shown that his and Munohurgeer's Jagheers were distinct; thus, Rowjee Pendsay's information does not tally with Mr. McDonnell's inquiries, made at a time when information was more accessible, and the Duftur itself more full and complete; these pensions are, therefore, in lieu of Surinjam.

" The pensioners are Gosavees, and by the ordinances of their caste they can have no legitimate sons; they may have Chelas or disciples, but these cannot be entitled to the consideration to which a son would have been. These pensions, therefore, should be continued for the life of each of the pensioners, and no further."

11. One of the three pensioners, Bulwuntgeer, died on the 12th July last, and the Collector of Poona, in reporting (No. 1376, of the 29th July 1853) the occurrence to Government, stated,—

" This individual's name stands No. 35 on the Poona pension list, and he enjoyed an annuity of Ankosee Rs. 600, which reverts to Government from the date of his demise."

12. It appears, therefore, that in this case the pension entered in the revised lists amounted to *Ankosee* Rs. 600. This is not shown in the lists. (See column 506 of the lists.)

13. On the 19th August last the Agent for Sirdars, Mr. LeGeyt, submitted a report, No. 442, on the case, which is below quoted:—

" The Agent for Sirdars in the Deccan has the honour to report that

Munohurgeer Gosavee held a Jagheer from the last Peshwa Bajee Rao. He died before the war, and on the accession of the British Government Rs. 4,000 were given to his six Chelas in commutation for the Jagheer held by him. Three of these Chelas were dead when Mr. Brown, the late Agent, prepared the revised pension lists in 1851, and the names of the other three, one of whom was Bulwuntgeer, are entered as No. 16 in Class III. of the said lists. According to the Rules of the Honorable the Court of Directors, a moiety of the pension of Rs. 600 which the deceased enjoyed should be continued to another generation; but by the ordinances of his caste, Bulwuntgeer was not permitted to marry. Mr. Elphinstone has recorded in respect to the grant that Munohurgeer was a low man and a new Jagheerdar, and his Chela is not entitled to the same consideration a son would have been; and Mr. Brown, in his remark in the revised pension lists of 1851, states as a general rule that Chelas or disciples (of Gosavees) cannot be entitled to the consideration to which a son would have been. This doctrine, however, of Mr. Brown, is at variance with the expositions of customs of Gosavees by Mr. Warden, (Appendix A of Steel's book, the 20th Section of which declares 'a Gooroo is to a disciple in the place of his father, and to whom he is, in respect to support, protection, and inheritance, as a son,') and the Agent is disposed to think that Mr. Warden's opinion is much more in accordance with the usage of the country than Mr. Brown's.

"In the particular case in question, perhaps, Mr. Elphinstone's remark may be taken as the guide, unless it be held that the instructions of the Court of Directors of 22nd May 1849 supersede the limit placed by him."

14. Having now endeavoured to explain the precise circumstances under which I am called upon to report on this claim, I proceed to show that Mr. Turquand was right when he informed the Agent for Sirdars (paragraph 10 of Mr. Turquand's report, quoted in the 9th paragraph of this letter),—

"This appears another case of a pension, granted as a matter of favour, and not of right, having been entered in the pension list as granted in lieu of a Surinjam resumed by the British Government at the time of the war."

15. The question at issue seems to be whether the grant of Rs. 4,000, recommended by Mr. Elphinstone and confirmed by the Supreme Government, was made in commutation for a personal Surinjam held up to the breaking out of the war with the Peshwa, and then resumed by the British Government.

16. In both Mr. Warden's and Mr. Brown's lists it has been assumed (see paragraphs 7 and 8 of this letter) that such a personal Surinjam of

the value of Rs. 13,000 was held at the breaking out of the war. It seems to me probable that the erroneous entry in the former list may have been made on the following statement in Mr. McDonnell's memorandum :—

"His Jagheer is stated to have amounted to Rs. 2,95,980-12-0 ; of this Rs. 13,102-8-0 was for his personal expenses."

How, however, the requisite correction was not made by Mr. Brown when revising the lists, I am not able to understand ; for the Superintendent of the Poona Duftur had distinctly informed him (paragraphs 4, 5, and 9 of Mr. Turquand's report, quoted in the 9th paragraph of this letter) that the Peshwa's records *proved* the personal Surinjam not to have been thus held, and never, indeed, to have been held at all, as the Peshwa's order was not carried into effect.

17. Mr. Brown, in rejecting the evidence afforded by the Peshwa's records, remarked (in column 15 of the revised lists, No. 16 of Class III.),—"This person's Jagheer is detailed in Mr. McDonnell's memoranda on Jagheers, in which it is stated that out of a large Surinjam amounting to Rs. 2,95,380-12-0, Rs. 13,102-8-0 belonged to him as personal Jagheer," but omitted to notice Mr. McDonnell's statement, immediately following, that "Rs. 85,547-4-0 went in the cession to us in 1817 in Raneebednoor, and Rs. 32,836-11¼ never assigned"; so that not only the personal Surinjam of Rs. 13,102-8-0, but also a portion of the military Surinjam, amounting to Rs.' 19,734-3¼, were never assigned.

18. In Mr. Elphinstone's list the amount held at the breaking out of the war of the Surinjam entered in the name of "Munohurgeer's Chela" was shown (in column 5 of entry No. 26 in the Class of "Sirdars or great Chiefs") to have been Rs. 1,76,746, and in Mr. McDonnell's memorandum the amount of assignment in each district was shown (see paragraph 3 of this letter). A Murathee list which was framed in the Office of the Deccan Commissioner affords still further detail, and shows *each item* of which the Surinjam of Rs. 1,76,746 was composed.

19. In this detailed Murathee list there *is not to be found one of the items* composing the Surinjam of Rs. 13,102-8-0, the grant of which, though ordered, was never carried 'nto effect, and which Surinjam in the pension lists is entered as having been resumed by the British Government in A. D. 1818. (See paragraphs 7 and 8 of this letter.)

20. That the Peshwa's records clearly proved the grant of a personal Surinjam to Munohurgeer never to have taken effect was formerly brought to notice by the Superintendent of the Poona Duftur (see paragraph 5 of Mr. Turquand's report, quoted in the 9th paragraph of this letter); and to the information then afforded must now be added the facts recorded in the last two

paragraphs, the whole placing it, apparently, beyond the possibility of doubt that no personal Surinjam was enjoyed by Munohurgeer, or by any person as his successor, at the breaking out of the war; that no personal Surinjam was entered in Mr. Elphinstone's list under the supposition that it had been so enjoyed; and that, therefore, no pecuniary allowance *could* have been granted in commutation for any such personal Surinjam resumed by the British Government.

21. In Mr. Elphinstone's recorded reasons (see paragraph 2 of this letter) for recommending the pecuniary allowance to the disciple of Munohurgeer, not the slightest allusion was made to its being in lieu of personal Jagheer; and that such a specification would have been made, had Mr. Elphinstone viewed it in that light, seems clear from the fact that in other cases where personal Surinjams granted by the last Peshwa, Bajee Rao, were recommended for resumption, the fact was distinctly recorded, and the proposed pecuniary allowance stated to be in lieu of the resumed Surinjam.

22. It is, I think, sufficiently clear that Mr. Elphinstone *could* not have supposed the personal Surinjam of Rs. 13,102-8-0 to have been held at the breaking out of the war (see paragraphs 18 and 19 of this letter); but there is yet stronger proof forthcoming that he did not do so: out of fourteen items of which the proposed grant of Rs. 13,102-8-0 was composed, I have traced five, and found them to have been at the breaking out of the war held by *other parties*; to have been entered in *their names* in Mr. Elphinstone's list, and in Mr. McDonnell's memorandum; and to have been afterwards continued to *them* by order of the Supreme Government.

23. Under all the circumstances now reported, it appears to me that the pensions granted for life to the disciples of Munohurgeer were not granted in lieu of any personal Surinjam resumed by the British Government; that they should not, therefore, have been entered in the pension lists framed by Messrs. Warden and Brown; and that Government are not called upon to continue any portion of them for another life.

24. It does not appear necessary for me to attempt to discuss the relative positions of the legitimate son of a person not prohibited from marrying, and of the disciple (Chela) of a Gosavee who is so prohibited; I would, however, observe that Mr. Brown appears not, as supposed by Mr. LeGeyt (see Agent's report of the 19th August 1853, quoted in paragraph 13 of this letter) to have propounded any doctrine of his own on this subject, but merely to have reiterated the recorded opinion of Mr. Elphinstone (paragraph 2 of this letter) that a disciple (Chela) is not entitled to the same consideration as a son.

25. Adverting to Mr. Brown's remark (quoted in paragraph 10 of this letter) that Mr. McDonnell's inquiries were made at a time when information

was more accessible and the Duftur itself more full and complete, I would solicit a reference to paragraphs 94 to 100 of my letter No. 163, of the 2nd May last, in which I assigned at length my reasons for believing the State records of the Peshwa's Government to be "now more complete, better understood, and more capable of being made generally useful, than they have been at any previous period of our rule."

I have the honour to be, &c.
(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 4445 of 1854.

Political Department.

To P. W. LeGeyt, Esq.,
Agent for Sirdars in the Deccan.

Sir,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 442, dated the 19th August 1853, upon a letter from the Collector of Poona of the 29th of the preceding month, reporting the death of Bulwuntgeer, disciple of Munohurgeer, who received an annuity of Ankosee Rs. 600 from the British Government.

2. In reply I am desired to enclose copy of the letter from Captain Cowper to the address of Mr. Manson, dated 12th September 1853, and to observe that there are two questions involved in the discussion on the subject of this annuity,—

1*st.*—Was the pension to the Chelas of Munohurgeer granted in lieu of a Surinjam resumed by the British Government ?

2*nd.*—Should a moiety of the pension of Bulwuntgeer, viz. Rs. 600, his share of the total pension of Rs. 4,000, be continued to his Chela ?

3. The second question, which is the practical one, is disposed of by the Honorable Mr. Elphinstone's remark that "Munohurgeer was a low man, and that his Chela is not entitled to the same consideration as a son." Such being the case, *à fortiori* his Chela's Chela is not entitled to the same consideration as a son,—that is, to be treated as "another generation," to which a moiety of the pension should be continued.

4. Under these circumstances, the Right Honorable the Governor in Council has resolved that Bulwuntgeer's whole pension shall be resumed, and that a similar course shall be followed on the death of the remaining Chelas of Munohurgeer.

5. In making the above intimation, I am desired to communicate to you the following observations on the first question.

6. The Right Honorable the Governor in Council considers that no evidence has been afforded that the Chelas of Munohurgeer were in possession of a Surinjam at the breaking out of the war, and that the Surinjam was resumed by the British Government. It is true, as Mr. Elphinstone stated, that Munohurgeer himself "was a new Jagheerdar," but it is shown by the late Superintendent of the Poona Duftur, Mr. Turquand, and by Captain Cowper, that his Jagheer had been transferred to Roopram Chowdree, and that the personal Surinjam, though contemplated, had never been actually assigned.

7. This statement is supported by a fact mentioned by Mr. McDonnell, that a part of the Surinjam, amounting to more than Rs. 32,000, had never been assigned. But the facts stated by Captain Cowper in the 22nd paragraph of his report place the matter under discussion beyond all doubt. He there states that of the fourteen items of the proposed grant of Rs. 13,102-8-0, he has traced five to other parties, who held them at the breaking out of the war, and to whom they have been continued by Mr. Elphinstone and the Supreme Government.

I have the honour to be, &c.

(Signed) H. L. ANDERSON,
Secretary to Government.

Bombay Castle, 18*th October* 1854.

APPENDIX DD.

No. 137 of 1853.

From Captain T. A. Cowper,
Assistant Inam Commissioner,

To W. Hart, Esq.,
Inam Commissioner.

Dated Poona, 19*th March* 1853.

Sir,—I have the honour to report the result of my inquiry, ordered in the Chief Secretary's letter No. 4249, of the 1st October 1852, regarding the pension entered as No. 17 of Class I. in the revised lists submitted to Government by the Agent for Sirdars, Mr. Brown, under date the 4th June 1851.

2. In the lists of Jagheers transmitted to the Government of India with Mr. Elphinstone's letter dated the 25th October 1819, a *life pension* of Rs. 5,000 was assigned to Ranojee Powar Viswas Rao, whose name was entered as No. 42 in the Class of "Sirdars or great Chiefs."

3. In these lists Mr. Elphinstone is clearly shown to have recommended the pension *not in lieu* of any Jagheer resumed by the British Government, nor because Ranojee Powar had any claim to any Jagheer, but because, although he had *no claim to any Jagheer*, it was necessary to provide for him as a person of rank. The following are Mr. Elphinstone's own words:—

> "To receive a pecuniary pension of Rs. 5,000 a year, because, though a person of great rank, he appears to have no claim to any Jagheer, the greater part having been resumed by Bajee Rao, and the small remainder (nominally under Rs. 4,000, and really under Rs. 500) having been embezzled for the last fourteen years.—For life."

4. In this case either a great mistake has occurred, or some fraud has been committed,—at present I am not able to state which; but as, however this may be, it cannot affect the question upon which my report is more immediately required, I submit it at once, thus enabling Government to order further inquiry, should they deem it desirable to do so.

5. *Ranojee* Powar was the name entered in Mr. Elphinstone's lists. This, however, would not prove that Ranojee Powar received the pension, or that he was *even alive* when the lists were framed, as they were in this and in other respects open to correction, which was made during the succeeding three years by Mr. Chaplin, who on the 28th October 1822 submitted to Government—

"Register of Jagheers, showing the amount actually restored and the names of the present incumbents, compared with the original lists transmitted to the Supreme Government by the Honorable the late Commissioner, and exhibiting all alterations which have been made."

6. In this amended register the pension was shown as *then* (on the 28th October 1822) paid to *Ranojee* Powar Viswas Rao, so that I assume it to be an ascertained fact that the first British grantee was *Ranojee Powar.*

7. But in the revised Surinjam lists *Boobajee* Rao Powar, *the son of Ranojee Powar*, is entered as the first British grantee.

8. In the statement which has been given (on the 7th January 1853) before me by the present claimant, Madhow Rao Powar (who is the son of Boobajee Rao, and the grandson of Ranojee), Ranojee Powar is shown not to have been alive at the introduction of the British Government. If Mr. Chaplin's amended register (see paragraph 5) was a correct one, this statement cannot be true.

9. Boobajee Rao Powar died on the 18th May 1845, having been up to his death in the receipt of the pension of Rs. 5,000.

10. In neither the Poona pension lists, nor in the lists subsequently framed by Mr. Warden, is this pension entered at all. (See remark in column 2 of the revised pension lists.) The son, Madhow Rao, however, made a representation to Mr. Brown, the Agent for Sirdars, which was reported on by the Superintendent of the Poona Duftur, Mr. Turquand, in a memorandum forwarded to the Agent on the 9th May 1851, and Madhow Rao Powar's name was then entered in the revised lists as entitled to an hereditary pension in lieu of a Surinjam resumed "in A. D. 1817, by the British Government."

11. Mr. Brown recommended that one-half of the sum originally granted as a life-pension should be continued and declared hereditary, for the following reasons :—

"The result of inquiry at present instituted in the Duftur is contained in a memorandum of the Superintendent of the Duftur, which forms Appendix J. From this it appears that the Surinjamdar held a Surinjam claim in Humeerpoor in Boondelkhund, amounting to Rs. 22,000, in addition to his Surinjam in the Deccan of Rs. 3,984. Both these were resumed during the war, and a pension of Rs. 5,000 was granted to him as a compensation for the loss.

"The Surinjam in the Deccan was ancient, and pension in lieu of it should be hereditary. The Surinjam in Boondelkhund was granted in 1767, and pension in lieu of it should be enjoyed for two generations, and a moiety of it by the third.

"The question is how much of Rs. 5,000 should be considered in lieu of the one or the other of these Surinjams?

"It appears to be a principle adopted in the settlement of the Deccan, that all claims beyond the Deccan should not be recognised. The Surinjams in Hindoostan generally were Fouj Surinjams, and no mention of this Sirdar's claim in Humeerpoor is made by Mr. Elphinstone: for these reasons, no portion of the pension of Rs. 5,000 should be considered as granted in lieu of it.

"With regard to the Deccan Surinjam, Mr. Elphinstone says that its revenue was under Rs. 500, but it would seem to be much undervalued: it may be that the Peshwa's officers who embezzled the revenue showed it below its real value, or a year of scarcity or disturbance must have been taken as the standard of value.

"The Superintendent of the Duftur shows nearly Rs. 2,000 having been credited in Zhurtee account: this is only the revenue of two items forming the Surinjam,—viz. Purgunas Kotool and Rajooree.

"The fair decision would, therefore, be to consider a half of the pension, of Rs. 2,500, in lieu of the Deccan Surinjam."

12. It is difficult to attempt to contrast the case as it seems really to stand, and to have stood, with the case as set forth in the remarks quoted in the preceding paragraph, and I must preface my attempt to do so by explaining that after a most careful perusal of these remarks I have found myself unable to understand the reasoning on which the Agent recommended that Rs. 2,500 should be continued as an hereditary pension.

13. It will, I think, under these circumstances be the most convement course for me to specify the material points which have been brought forward, and to endeavour to explain in how far each has been correctly stated in all its bearings. I will, therefore, consider,—

1*st.*—Whether any Hindoostan Surinjam should be taken into consideration at all?

2*nd.*—What Deccan Surinjam Ranojee Powar held at the breaking out of the war in 1817?

3*rd.*—What claims to pension can, under the Rules laid down by the Honorable Court of Directors, be justly preferred on account of any Surinjam held by Ranojee Powar, whether in Hindoostan or in the Deccan?

4*th.*—In how far the grant of any pension on the above account

would accord with the general arrangements made by Mr. Elphinstone and with his recorded recommendation in this particular case.

14. That at the breaking out of the war Ranojee Powar held any Surinjam at all in Hindoostan (Humeerpoor) seems to have been assumed for *the first time* in 1851, and then to have been assumed *solely* on the following statement made in the report of the Superintendent of the Poona Duftur, referred to in my 9th paragraph :—

"It would seem Powar held up to the war his claims in Purguna Humeerpoor in Boondelkhund, and Raojee Pendsay says from personal knowledge that it was in consideration of those Hindoostan claims, lost to Powar, that the pension exceeded the Rs. 3,984 at which Powar's claims, regarded as held up to the war, were valued."

15. Raojee Pendsay is an old hereditary Duftur Karkoon, with a great knowledge of all matters connected with the revenue administration of the last Peshwa, and possessed of a most wonderful memory. Under any circumstances, however, I should, for obvious reasons, receive his evidence in matters of this sort with extreme caution; for, though sometimes of much value, it is peculiarly requisite that, as a general rule, it should be tested and supported by other and independent testimony, and especially by the documentary proof afforded by the State records.

16. But this hereditary Karkoon's assertion that Ranojee Powar's pension was fixed by Mr. Elphinstone in "consideration" of the Humeerpoor claims, is in my opinion sufficiently proved to be an erroneous one by the recorded statement of Mr. Elphinstone himself. Were there any ambiguity in this statement, or had Mr. Elphinstone left his reasons to be wholly or partially inferred, there might be some grounds for accepting the next best procurable evidence; but such is not the case. Mr. Elphinstone has clearly stated the pension to have been granted to Powar, "because, though a person of great rank, he appears to have no claim to any Jagheer, the greater part having been resumed by Bajee Rao, and the small remainder (nominally under Rs. 4,000, and really under Rs. 500) having been embezzled for the last fourteen years."

17. The nominal value of the Surinjam in Humeerpoor was Rs. 22,500, so that it is not *possible* that this could have been included in the "small remainder," the value of which Mr. Elphinstone stated to have been "nominally under Rs. 4,000, and really under Rs. 500."

18. This seems sufficient to settle the question of the Humeerpoor claims; but further evidence is forthcoming, of which I imagine neither the Agent nor the Superintendent of the Duftur could have been aware. In the 5th paragraph of his despatch No. 78, dated the 18th June 1818, to the Governor General, Mr. Elphinstone thus explains the then position of the Hindoostan Jagheers:—

"The Peshwa's whole revenue before the last Treaty amounted to Rs. 2,15,00,000, of which Rs. 95,00,000 was paid into the treasury, and Rs. 1,20,00,000 allotted to Jagheerdars; of this last sum Rs. 26,50,000 was produced by land in Hindoostan, which had greatly declined in value, and from which the Peshwa derived no benefit whatever.

"This last Rs. 26,50,000, with Rs. 32,00,000 of the amount payable into the treasury, was ceded by the Treaty of Poona concluded in June last."

19. The lands in Hindoostan (Humeerpoor) had, therefore, been ceded to the British Government by the Peshwa five months before the breaking out of the war; and regarding these cessions the rule laid down by Mr. Elphinstone, and communicated by him to the Supreme Government on the 25th October 1819, was,—

"No Surinjam ceded to the British Government by the Treaty of 1817, and no Jagheer not actually enjoyed up to the war, to be restored, unless specially directed so to be."

20. Under all the circumstances above explained, it seems to me clear that no pension is claimable, under the Rules laid down by the Honorable Court, on account of any Surinjam which may have been formerly held by the Powar family (in Humeerpoor).

21. I now come to the question of what Surinjam was held in the Deccan by Ranojee Powar at the breaking out of the war. The Agent supposed it to have consisted of—

The Mokassa of Turuf Rajoor, Purguna Akolay, valued at Rs.	2,242
The village of Nundala, Purguna Dhoolia, valued at....	1,134
The Mokassa of sixteen villages in Purguna Kotool, valued at	608
Total....Rs.	3,984

22. The above was "the small remainder" referred to in Mr. Elphinstone's remarks, and its detail is given in the statement prepared by his Secretary Mr. McDonnell. The statement furnishes some additional valuable information, for it shows *that Powar himself never pretended to have been in possession of anything at the breaking out of the war.* The remarks recorded by Mr. McDonnell are:—

"The Jagheerdar states that what remained of his Jagheer, viz. Rs. 6,200, has been withheld by the Government Komavisdars. His Jagheer formerly amounted to Rs. 1,01,451: Rs. 93,250 were resumed fourteen years ago, and Rs. 2,000 Inams within the last ten years, leaving Rs. 6,200 as above, but which he has not received since he lost the rest. His account appears correct, and what remained to him seems to have been embezzled by the Government officers."

In a note Mr. McDonnell adds,—

"When his Jagheer was Zupted, it is probable that these were left by mistake: they continue by the Duftur accounts; but it is very doubtful whether he enj ed them after the sequestration of the rest, which happened eighteen years ago."

23. It seems to be by a mistake that Ranojee Powar's family has been shown to have *ever* held the Mokassa of *sixteen* villages in Purguna Kotool; for the accounts of the late Government show but *eight* as held, *before the resumption*, by this branch of the Powar family, which was always known and referred to in the Government records as that of "Viswas Rao,"—"Viswas Rao" being a distinctive title, and one peculiar to themselves.

24. The latest accounts of the Peshwa's Government which are forthcoming show the Mokassa (shown in an account of management for A. D. 1814-15) of the *eight, not sixteen villages* in Purguna Kotool, and the Mokassa (shown in an estimate for A. D. 1814-15, framed by the Government) of Turuf Rajoor, to have been in A. D. 1814-15 brought to the account of Government, and the village of Nundola in Khandeish to have been in A. D. 1811-12, and for many previous years, a deserted one, paying no revenue at all. Added to this is the fact, not before noticed that Nundola was granted and held from first to last as a *purely military* (Fouj) Surinjam.

25. When Mr. Turquand, the Superintendent of the Poona Duftur, addressed the Agent for Sirdars on the subject of this pension, the Khandeish accounts were not in his charge, and he was probably, therefore, in ignorance of the facts above noticed with regard to the Khandeish village: with regard to the Mokassa of Turuf Rajoor, Mr. Turquand seems not then to have been aware of the existence of the estimate for A. D. 1814-15 which I have quoted in paragraph 24, and which is one of a number of most valuable accounts of the Peshwa's Government only lately extracted from a mass of papers which were found with the rest of the Government records in A. D. 1817, but which have only been examined during the last few years. This is, however, a document unquestionably authentic, and of perfect authority, being an estimate framed by the Government, and in the recognised handwriting of a Karkoon (Raojee Khandaykur) known to have been then (in A. D. 1814-15) employed in the Peshwa's Duftur.

26. The Mokassa of the villages of Purguna Kotool was shown by the Superintendent of the Duftur to have been, according to the latest forthcoming account (the account of management for A. D. 1814-15, which I have quoted), and according to the accounts of many previous years, resumed from Powar, and the revenue to have been credited to Government. Mr. Turquand, however, recorded an opinion that Powar,

although shown by the whole of the accounts not to have been in possession of the Mokassa, had not "lost his claim to it." I do not understand what was meant by this expression, but I do not attempt to argue or discuss the question, because it is one with which I apprehend I have nothing whatever to do, and because it seems to be one which cannot, under any circumstances, affect the case upon which I have to report. It is of the greatest importance to bear in mind that the settlement by Mr. Elphinstone was made on the basis *of possession at the breaking out of the war*, and not on that of claims to anything lost previously.

27. All the evidence which is forthcoming seems to me to prove conclusively that Ranojee Powar held no Surinjam in the Deccan at the breaking out of the war in 1817; the latest accounts of the Peshwa's Government which are forthcoming prove this (see paragraphs 24, 25, and 26); Mr. Elphinstone recorded it (see paragraph 3); and Powar himself admitted it (see paragraph 22).

28. A reference to the extract from Mr. McDonnell's statement made in my 22nd paragraph will show that Powar's *Inams* even were resumed. This fact has not hitherto been adverted to, but it bears very strongly upon the question. The late Government constantly resumed Surinjams from those who were left in possession of their Inams, but I have neither seen nor heard of any recorded case in which a Surinjam was allowed to remain with one whose Inam holdings had been resumed.

29. The opinion at which I have arrived on the four points specified in my 13th paragraph, as being those apparently material to this case, is, therefore, as follows:—

1st (paragraphs 14 to 20).—That as no Surinjam in Hindoostan was held at the breaking out of the war in A. D. 1817, no pension can, under the Rules laid down by the Honorable Court, be continuable or claimable on that account.

2nd (paragraphs 21 to 28).—That no Surinjam in the Deccan was held at the breaking out of the war in A. D. 1817.

3rd.—That no pension can, therefore, be claimable on account of any such Deccan Surinjam.

4th (paragraphs 2, 3, 18, 22, and 26).—That the grant of pension in lieu of any Surinjam held by Ranojee Powar at the breaking out of the war in A. D. 1817 would not be in accordance with any recommendation of Mr. Elphinstone's, but would be opposed to that gentleman's recorded statement and opinion.

30. The statement which was forwarded to Government with the memorandum of the Agent for Sirdars dated the 15th September last, No. 305, shows the recommendation contained in the revised lists to involve in this case the payment of Rs. 16,983-1-6 as arrears, and the grant from the 17th June last of an hereditary pension of Rs. 2,500.

31. Mr. Elphinstone did not for one moment attempt to ascertain, much less to decide upon any *claims* upon the Peshwa's Government; he confined his attention solely to the state of things which existed when that Government gave way to our own, and he recommended that *all personal Surinjams then* held should be continued, either in money or land, in whole or in part, for life or hereditarily, according to Rules which he framed and submitted for sanction. There was another and a very large class of persons for whom a *present provision* was deemed necessary, although they were not found in the possession of anything. Ranojee Powar was one of this latter class, and he received a handsome allowance for life, because, said Mr. Elphinstone, "though a person of great rank, he appears to have no claim to any Jagheer." The orders of the Honorable Court of Directors on which the revised pension lists were framed were not, as I understand them, intended to apply to any of these grants, but only to pensions granted in commutation of Surinjams held at the breaking out of the war and resumed by the British Government.

I have the honour to be, &c.
(Signed) T. A. Cowper, Captain,
Assistant Inam Commissioner.

No. 1930.

From W. Hart, Esq.,
Inam Commissioner,

To A. Malet, Esq.,
Chief Secretary to Government.

Dated Belgaum, 14th April 1853.

Sir,—With reference to your letter No. 4249, dated 1st October 1852, I have the honour to submit a report, No. 137, dated 19th March 1853, from my Assistant, Captain Cowper, regarding the pension entered as No. 17 of Class I. in the revised lists, submitted to Government by the Agent for Sirdars, Mr. Brown, under date the 4th June 1851.

2. Captain Cowper's report is so full and clear that I feel I have nothing to add to it, and can only solicit the instructions of Government on the case.

3. The amount of arrears supposed to be due, according to the statement submitted by the Acting Agent, Mr. Keays, with his memorandum No. 305, dated the 15th September 1852, is Rs. 16,983-1-6; but it is evident that whether or not Government may be pleased to make any provision for the sons of the deceased pensioner, the pension

which he held ought to have lapsed to Government, if not at the death of Ranojee Rao, for whose support alone Mr. Elphinstone appears to have intended it, at any rate at the death of his son in 1845.

I have the honour to be, &c.

(Signed) W. Hart,
Inam Commissioner.

No. 2748 of 1853.

Political Department.

To P. W. LeGeyt, Esq.,
Agent for Sirdars in the Deccan, Poona.

Sir,—With reference to my letter No. 4248, dated the 1st October 1852, I am directed by the Right Honorable the Governor in Council to transmit to you copy of a communication from Mr. Hart, late Inam Commissioner, No. 1930, dated the 14th April last, submitting a report from Captain Cowper dated the 19th of the previous month, showing the result of his investigation in respect to the pension entered in the name of Boobajee Rao Powar Viswas Rao, forming entry No. 17 of Class I. of the revised pension lists, submitted to Government by Mr. Brown on the 4th June 1851.

2. In forwarding these documents, I am desired to add thereto a *précis* of the past proceedings of Government on this subject, and to inform you that under the circumstances detailed therein and in Captain Cowper's report, it is clear that Madhow Rao, the grandson of the original British grantee, Ranojee Powar Viswas Rao, to whom Mr. Brown recommended a continuance on hereditary tenure of a moiety of the pension enjoyed by his father Boobajee Rao, can possess no valid claim to the same.

3. The Right Honorable the Governor in Council, accordingly, confirms the resumption of this grant from the date of the death of Boobajee Rao on the 18th May 1845, and directs that entry No. 17 in Class I. of Mr. Brown's lists of 1851 be forthwith expunged.

I have the honour to be, &c.

(Signed) A Malet,
Chief Secretary to Government.

Bombay Castle, *23rd June* 1853.

Extract Paragraph 13 from a Despatch from the Honorable the Court of Directors, dated the 12th October, No. 55 of 1853.

(9.) Proceedings relating to No. 17 of Class I. of the revised lists of pensions granted in commutation of Surinjams, being a pension of Rs. 2,500 granted on hereditary tenure to Madhow Rao, grandson of the late Boobajee Rao Powar Viswas Rao.

Para. 13. The reference of Mr. Brown's list of pensions in commutation of Surinjams to the Inam Commissioner has led to the expunging of No. 17 from the list. Captain Cowper's report conclusively showed that the original grantee of this pension held no Surinjam at the breaking out of the war, and was not considered by Mr. Elphinstone to have a claim to any Jagheer. The pension was granted to him on other grounds, and only for life. It was, however, continued undiminished to his son Boobajee, who died in 1845. Madhow Rao, the son of Boobajee, has clearly no valid claim to the continuance of any part of it. Fortunately the recommendation of Mr. Brown in his favour had not been carried into effect.

APPENDIX EE.

REPORT BY THE INAM COMMISSIONER NORTHERN DIVISION.

No. 924 of 1855.

Political Department.
Dated Poona, 25*th August* 1855.

1. The village of Barwaiee, Talooka Neerul, now a portion of the Tanna Collectorate, was, with certain deductions, granted by the Peshwa, at a valuation of Rs. 1,026-8-0, to Ragho Mulhar, as an allowance for a Palanquin, by a Sunud the registry of which is forthcoming in the State diary of the 20th October A. D. 1808 (29th Suba, Teesa Myatain wu Ulluf).

2. This village formed a portion of the territory ceded by the Peshwa to the British Government by the Treaty of Poona, on the 13th June 1817.

3. Mr. Elphinstone's instructions (the 7th of the Rules accompanying Mr. Elphinstone's letter of the 25th October 1819, to the Supreme Government), confirmed by the Supreme Government, regarding the alienations in the territory ceded by this Treaty, were :—

"No Surinjam ceded to the British Government by the Treaty of 1817, and no Jagheer not actually enjoyed up to the war, to be restored, unless specially directed so to be."

4. In the statement prepared by Mr. Elphinstone's Secretary, Mr. McDonnell, upon which the lists transmitted to Calcutta were framed, this holding was entered as shown below :—

"No. 29.—Ragho Mulhar.—Exd.

"*Konkun.*

Moujé Barwaiee, Turuf Wajeh, Talooka Neerul.. Rs. 1,026 8 0

"*Note.*—Sudashew Mankeshwur has Rs. 152-4-0 on Moujé Burwaiee, Turuf Wajeh.

"29. The Mootsudee's statement agrees exactly with the Duftur account. This village went in the cession of 1817."

5. In the Surinjam lists transmitted to Calcutta, neither this Surinjam nor any allowance in lieu of it was entered. It is of importance to bear in mind this fact, as it proves conclusively that the holding was not included by Mr. Elphinstone among the Surinjams held at the breaking out of the war with the Peshwa, and resumed, for the most part, by the British Government as grants made by Bajee Rao.

6. A pension was, however, granted, the entry of which in the "miscellaneous" lists of pensions granted by Mr. Elphinstone, which his successor, Mr. Chaplin, subsequently furnished, is below extracted :—

No.	Name in the Original List.	Annual Amount.	Persons to whom the Pensions have actually been granted.	Annual Amount.	Remarks.
	List No. 6, Miscellaneous.	Rs.		Rs.	
14	Ragho Mulhar....	1,026	Ragho Mulhar......	1,026	Granted in lieu of a village in the Konkun, which he held in personal Jagheer till it was ceded by the Treaty of Poona.

7. Ragho Mulhar died on the 21st October 1843 (the date stated by the present claimant before the Inam Commissioner), and his son, the present claimant, having applied for the continuance of the pension, was informed in the Political Secretary's letter No. 2104 of the 1st July 1844,—

"The pension of Company's Rs. 82-2-0 per mensem enjoyed by your late father having been a life-grant, your application for its continuance cannot be complied with."

8. In paragraph 32 of their political despatch No. 8 dated the 12th April 1842, the Honorable Court of Directors drew the attention of the Bombay Government to the propriety of extending to pensions granted in commutation for Jagheer lands, the rules which might eventually be prescribed in relation to such lands ; and pursuant to their instructions, the Agent for Sirdars, Mr. Warden, submitted to Government with his letters Nos. 7 and 60, dated the 12th January and the 16th April 1844, lists of the persons to whom the orders of the Honorable Court applied. These lists were described by the Agent as containing only the names of those who actually held, on the breaking out of the war with the Peshwa, Surinjams which Mr. Elphinstone resumed, and in commutation for which he granted pensions. The Agent on this occasion explained in the 5th paragraph (below quoted) of his letter No. 7 of the 12th January 1844, the error which had up to that time been committed, in drawing no distinction between pensions granted in commutation for Surinjams actually held at the breaking out of the war with the Peshwa, and those granted to persons who had not at that period held any Surinjam, but for whom it was considered proper to make some provision :—

The Sole Commissioner Mr. Elphinstone's despatches to the Supreme Government, dated June 18th 1818, and October 25th 1819.

"5. The officer who prepared the Poona pension list would appear to have applied the remark 'in lieu of personal Jagheer' to every person who ever had a Surinjam, whether resumed long or shortly before the change of Government, or by the Government which granted the pension ; but seeing that it was a fundamental principle in the settlement of the country conquered from the Peshwa, that Surinjams

should be granted to those only who held them on the accession of the British Government, and that even of these, such lands as were granted as late as Bajee Rao's time were to be resumed,* and pensions substituted for them, which pensions, it was said, 'would continually diminish as the holders died off,' it is clear that the Court of Directors, in speaking of pensions in commutation for Surinjams, do not allude to those pensions which Mr. Elphinstone granted to those who, on the principles of the settlement of the country, had no claim to land, however long and extensively they may at one time have been holders of it, and who, under the denomination of 'Ministers of former times,' 'ruined Sirdars,' 'late military Chiefs,' and the late Peshwa's Ministers and connexions, 'received pensions as a sort of bounty,' which was to diminish as the holders died off; but to those who, on the principles announced and acted on by the British Government, had just claims to Surinjams, which they lost in the adjustment of the territorial claims of British allies, or of which they were otherwise deprived by the British Government."

9. In the lists prepared by the Agent, Mr. Warden, the pension of Ragho Mulhar was *not* included.

10. Mr. Warden's lists were sent for revision to his successor, Mr. Brown, who submitted revised lists with his letter No. 206 of the 4th June 1851, in the 7th paragraph of which he mentioned having added to the names entered in Mr. Warden's lists of pensions of the Third Class, "the name of Ragho Mulhar, who was not before entered in Mr. Warden's statement."

11. Mr. Brown, in adding the name of Ragho Mulhar, appended the following letter, No. 1 of the 8th January 1851, from the Superintendent of the Poona Duftur, Mr. Turquand:—

"I have the honour to acknowledge the receipt of your memorandum dated the 20th ultimo, No. 1044, transmitting a petition dated the 11th ultimo, from Bappoojee Raghoonath Koolkurnee of village Kuradeh, for the continuance to him of the pension which at the accession of British rule was granted his father Ragho Mulhar, in lieu of village Barwaiee, Turuf Wanjeh, and calling for an explanation as to how the village Barwaiee could have been held at the breaking out of the war, Turuf Wanjeh, in which it is situated, having been included in the cessions made by the Peshwa by the Treaty of A. D. 1817.

"2. It would seem that the cessions in A. D. 1817 transferred to the British Government the obligation of respecting, as far as was equitable, all the then existing claims to alienated revenues, and that lists of these alienations of all sorts were furnished by the Peshwa's Govervment. Documents purporting to be copies of the lists thus furnished are forthcoming in the Duftur, and amongst them is a list of the alienations of all sorts from

* There are but two exceptions, so far as I can discover—viz. the Surinjams of Luxumon Rao Sudashew and Nimbajee Bhaskur.

Purguna Neerul, in which Rs. 1,026-8-0 are entered as the revenues of village Barwaiee, Turuf Wanjeh, held by Ragho Mulhar as the Surinjam for a Palanquin.

"3. Exclusive of Rs. 152-4-0 assigned to Sudashew Mankeshwur, village Barwaiee, Turuf Wanjeh, was granted to Ragho Mulhar Karkoon Silledar, by a Sunud registered in the diary for the 29th Shaban, A. D. 1808-09, which shows the grant amounted to Rs. 1,026-8-0, and states as follows the purposes for which it was made.

Number.	No. in the Poona Pension List.	Name of the Original Pensioner.	Name of Present Pensioner.	Amount of Pension first granted.	Amount since continued.	Amount of Surinjam held by the Family commuted into Pension.	Date of Original Grant of Surinjam, taken from Sunuds or Government Records.	Date of Resumption, and by whom.	Age of the Present Pensioner.	Annual Income of the Pensioner from other Sources.
1	2	3	4	5	6	7	8	9	10	11
				Rs.	Rs.	Rs. a. p.	A. D.	A. D.		Rs.
17	Not in the List.	Ragho Mulhar, deceased.	..	1,026	..	1,026 8 0	1808.	1817. By the British Government.	..	75

Rs. 800, the annual pay of Palanquin-bearers.
" 121, ditto ditto of a torch-bearer and state umbrella-bearer.
" 87½, materials for the Palanquin and umbrella.
" 18, for oil for the torch.

Rs. 1,026½."

12. The following is the entry regarding this pension in Mr. Brown's revised lists:—

Names and Ages of his Legitimate Male Issue.	The Tenure.	Reasons for making the Grant, as recorded by the Sole Commissioner in the Deccan.	Remarks.
12	13	14	15
Bapoojee Raghoonath, 40 years.	For life.	None ..	Ragho Mulhar died on 17th October 1843, leaving a widow and a son named Bapoo. The latter petitioned Government, and in consequence a correspondence took place between the Collector of Tanna and Government, which resulted in the petitioner being told in Government letter dated 1st July 1844, No. 2104, that the pension was a life-grant, and could not be continued. Bapoo since made a petition to the Agent at Poona, for an inquiry into his case. In a pension list framed by Mr. Chaplin, the Commissioner, the following remark is found on the name of Ragho Mulhar: "In lieu of the village of Barwaiee, Turuf Wanjeh, Talooka Neerul, held by him in personal Jagheer, but ceded by the Treaty of Poona." On looking at the Treaty of 1817, it appears that certain territory in the Konkun was ceded by the Peshwa, and the Peshwa was required to give accounts of the revenue for twenty years in five days. The Superintendent of the Duftur states that at that time lists of alienations in the territory ceded by the Treaty were also furnished, and amongst these the village of Ragho Mulhar is found recorded. (Vide Appendix U.) It is impossible to ascertain whether Ragho Mulhar held the village after the Treaty was concluded, because soon after this Treaty the war ensued, but the fact of a pension equal to the revenue of the village having been granted would of itself show that the claim to the village in question was considered equitable. The pension was granted by Mr. Elphinstone, and, therefore, a moiety of it should be continued to his son during his life, a suitable provision being at the same time made for his widow out of this moiety.

13. It seems clear that the Superintendent of the Poona Duftur must have been unaware of Mr. Elphinstone's distinct declaration (quoted in paragraph 3 of this letter) regarding the whole of these ceded Surinjams. Mr. Turquand was, moreover, apparently in error in supposing accounts of the ceded territory to have been rendered; for that, in spite of all the professions made by the Peshwa, these accounts were not rendered was, it is believed, one of the causes of complaint on the part of the British Government.

14. Mr. Elphinstone's declaration is, however, conclusive, as it is perfectly certain that at the time of the cession no reservation whatever was made regarding the Surinjams previously held in the ceded territory, or, indeed, regarding any other description of alienations therein. Inams and charitable allowances were continued at the close of the war; but of the whole of the Surinjams which had been ceded none were, Mr. Elphinstone ordered, "to be restored, unless specially directed so to be," which this Surinjam was not.

15. It seems, then, clear that the pension granted to Ragho Mulhar, not in lieu of a Surinjam resumed by the British Government, but as a matter of grace, in consideration of his having been a loser by the act of his own sovereign, was properly excluded by Mr. Warden from his lists, and ought not to have been, on their subsequent revision, added by Mr. Brown, as it was merely one of a very large class of pensions granted expressly for life; and there were, moreover, other pensions *precisely* similar in their nature which have not been continued beyond the original grantees. Such were two pensions, of Rs. 4,000 each, granted to Toolsee Shet and Bapoo Shet of Jumboosur in Guzerat, and regarding which the Collector of Broach has stated (letter No. 103 dated 20th February 1855) that out of six shares into which they were divided, five have lapsed by the death of the original grantees, nothing having in any case been continued to a second generation.

16. In the statement forwarded to Government by the Agent for Sirdars on the 15th September 1852, the arrears proposed to be paid to the son of Ragho Mulhar amount to Rs. 4,291-6-8, calculated, however, only up to the 17th June 1852.

17. There is another of these pensions which was included in Mr. Brown's revised lists of *Surinjams* (No. 4 of List 4); the Inam Commissioner proposes to report on this case at an early date.

18. Before concluding this report it is necessary to explain how this pension was, on the 17th June 1844, described by the Agent for Sirdars, Mr. Warden, as one entered in Mr. Elphinstone's Surinjam lists, and a document purporting to be an extract from those lists at the same time forwarded to Government; whereas, in paragraph 5 of this letter it has been stated, and stress has been laid on the fact, that it was not so entered.

19. On the 10th January 1853, the Inam Commissioner, Mr. Hart, addressed the following letter, No. 1557, to Government:—

"I have the honour to request that this department may be supplied with authentic copies from the Secretariat of India, of the lists of Surinjams which accompanied Mr. Elphinstone's letter of the 25th October 1819, and

the lists of pensions which accompanied his letter of the 26th idem, both addressed to the Secretary to the Government of India.

" 2. The only office copies of the Surinjam lists which are on record in the office of the Agent for Sirdars in Poona are not authenticated, and are full of erasures and alterations, *when made* it is impossible to determine, while the only copies on record in the Bombay Secretariat have, I believe, been drawn up from them, which have, in fact, the appearance of mere rough drafts. This is my reason for begging that I may be furnished with copies of the lists actually signed by Mr. Elphinstone, and which, having always been lodged in Calcutta, cannot have been altered since their preparation."

20. Authenticated copies of Mr. Elphinstone's lists were, in consequence of the foregoing requisition, obtained from Calcutta and forwarded to the Inam Commissioner with the Chief Secretary's letter No. 877 of the 26th February 1853, and in these lists there *is no entry whatever* regarding either this pension or the Surinjam which was ceded by the Treaty of Poona.

21. The extract with which Government were furnished by Mr. Warden was made from the office copy described in paragraph 2 of Mr. Hart's letter; but even in this office copy I find a *pen to have been drawn through each portion of the entry.*

22. Under all the circumstances of the case, this pension does not seem to be one continuable in part, under the orders of the Honorable Court, to a second generation.

(Signed) T. A. Cowper, Captain,
Inam Commissioner Northern Division.

No 2604 of 1856.

Political Department.

To Captain T. A. Cowper,
Special Commissioner, in charge of Alienation Department.

Sir,—Referring to your report No. 924 dated the 25th August last, on the pension entered in Mr. Brown's revised lists as No. 17 of Class III., I am directed by the Right Honorable the Governor in Council to transmit to you copy of a resolution passed thereon by Government under date the 9th instant, and to inform you that this case will be submitted for the decision of the Honorable the Court of Directors.

I have the honour to be, &c.

(Signed) H. L. Anderson,
Secretary to Government.

Bombay Castle, 20th May 1856.

Resolution passed by Government under date 9th May 1856.

Resolved,—The village of Barwaiee, in the Tanna Collectorate, was granted to Ragho Mulhar, with certain deductions, in A. D. 1808, by a Sunud, as a Palkee allowance.

2. The village was amongst the cessions to the British Government by the Treaty of 1817.

3. The Honorable Mr. Elphinstone laid down—"That no Surinjam ceded to the British Government by the Treaty of 1817, and no Jagheer not actually enjoyed up to the war, to be restored, unless specially directed so to be."

4. In Mr. McDonnell's statement it is expressly mentioned—"This village went in the cession of 1817."

5. In the lists transmitted to Calcutta by Mr. Elphinstone, neither the Surinjam nor any allowance in lieu of it is entered.

6. Ragho Mulhar, however, obtained a pension, which he enjoyed until his death in 1843, when it was resumed as a life-grant.

7. In 1842 the Honorable Court had directed that pensions granted in commutation for Jagheer lands should be subject to the rules which might eventually be prescribed in relation to such lands. The question, therefore, is, whether the pension to Ragho Mulhar shall be continued for one life more, as his village would have been, had he retained it up to the conquest of the Deccan.

8. Mr. Warden pointed out in 1844 (see paragraph 8 of Captain Cowper's report) that a distinction was to be drawn between those who, not holding lands at the breaking out of the war, received pensions as a "sort of bounty," and those who had just claims to Surinjams which they lost in the adjustment of the territorial claims of British allies, or of which they were otherwise deprived by the British Government. In his lists the pension of Ragho Mulhar was not included.

9. Mr. Brown included the pension in his lists, *i. e.* as to be continued to one generation, apparently on the opinion of Mr. Turquand—"that the cessions of 1817 transferred to the British Government the obligation of respecting, as far as was quite equitable, all the then existing claims to alienations." Mr. Brown stated that the war followed so close on the Treaty of 1817 that it was impossible to ascertain whether Ragho Mulhar held the village after the Treaty; but he considered that the fact that a pension equal to the revenue of the village was granted showed that the claim was considered equitable.

10. Mr. Brown's statement is inconsistent with Mr. McDonnell's statement, prepared just after the war, "that the village went in the cessions of 1817," and with the fact that it was not included in the list forwarded by Mr. Elphinstone to Calcutta.

11. The Right Honorable the Governor in Council is, therefore, constrained to adopt the conclusion that the pension was granted as a "sort of bounty," according to Mr. Warden's phrase. This is the conclusion to which a strict examination of the facts in connection with the principles which have governed the settlement of the country would suggest; but under all the circumstances the case may be referred for the final instructions of the Honorable Court, as to whether the pension shall be entirely resumed or a moiety continued for the life of Ragho Mulhar's son.